

## **2012: more of the same or a new breakthrough for Zimbabwe?**

Optimists - there are still some - are assessing Zimbabwean events against the background of the 'Arab Spring'. On 11 February 2012, we had two years of the 'Inclusive (or Unified) Government' (IG/GNU) following the signing of the 'Global Political Agreement' (GPA) between the two major parties and one minor party – ZANU-PF, Tsvangirai's MDC-T and the fractured MDC under Welshman Ncube. The eleven year plus crisis continues, but with the difference that after years of seeming collusion with Harare, there is now wavering scrutiny of and pressure on the regime from regional leaders in the southern Africa organisation, SADC. A roadmap to free and fair elections is being drafted, although without implementation benchmarks, or movement on the key promise for outside strengthening of the Joint Monitoring Committee (JOMIC) set up to ensure GPA compliance. The areas of independent electoral commission, role of observers, free and pluralistic media and governance of the security sector are key. Civil society also wants to see restoration of national Institutions – police, traditional leaders, local government officials, the Attorney-General's office – as these are more crucial for civic activity and elections. Civil society is though itself under threat as it was when banned in 2008. 29 NGOs were declared banned from operating in Masvingo province in February 2012.

The GPA has largely not fulfilled its promise, although with dollarisation there has been undoubted economic improvement, particularly for the better-off and urban dwellers. The budget for 2012 was \$4 billion from \$2.7 billion in 2011, although there was no sum set aside for elections. The humanitarian situation is precarious, food production is down after the land reform programme, epidemics such as typhoid or the re-emergence of cholera are possible. The UN talks of 3.5 million children in Zimbabwe in poverty. Banks have a liquidity crisis and inflation is predicted to be on the rise again.

The two Movement for Democratic Change (MDC) parties remain unable to overcome ZANU-PF's political and military control. The form of control is both multi-sectoral and overlapping – through party presence, economic ownership – land, finances and minerals – and control over the security sector. Mugabe continues to divide the former opposition such as in his demands in February 2011 and at the December 2011 ZANU-PF conference for an end to the coalition and elections in 2012. With rumours that Mugabe's constant trips to Malaysia are to treat pancreatic cancer, ZANU-PF wanted elections in 2011 (and now 2012) with the unreformed voters roll and its supporters in charge of the process. The downside for him is that ZANU-PF allegedly has no money and is riven by factions, some of whom (not so secretly thanks to Wikileaks) do not want to see Mugabe as their candidate against Prime Minister Tsvangirai and with incumbent ZANU MPs reluctant to engage in primary elections, Tsvangirai seems to want early elections because the IG is not working although civil society and substantial numbers of his party want a new constitution and a free and fair playing field for elections first. Faction fighting inside ZANU-PF to succeed Mugabe and ensure continued access to legal and illegal resources has increased especially since the suspicious death in a house fire in August 2011 of General Solomon Mujuru, husband of the Vice President Joice Mujuru and power-broking head of one of ZANU-PF factions – who apparently told Mugabe in a furious row the day before his death it was time for the President to step down. The party has made no preparations for actual election campaigning or revitalising its moribund party structures – which suggests a reliance solely on violence. An activist suggested that it was 'possible that all talk of elections is a red herring with ZANU-PF preferring the status quo, even the hawks, who may see Mugabe dying in office as their best bet.'

Widespread state-sponsored violence means MDC politicians and ministers, journalists, human rights activists, independent newspaper distributors, lawyers, NGOs and church congregations, notably the Anglican Church and Catholics, are all under attack. The Apostolic sects are the subject of a co-option campaign, 20% of MDC MPs have been arrested, and those who have

served a six month sentence lose their seats. Combined with partisan application of the law in terms of who is arrested (with ZANU-PF supporting perpetrators enjoying almost total immunity and others especially MDCs supporters and civil society still being subject to arbitrary arrest), increased deployment of soldiers across the country openly intimidating citizens and campaigning for ZANU-PF, this confirms that key state structures remain unreformed, partisan, politicised and 'impressively militarised' as one activist put it. The Public Order and Security Act (POSA) and other repressive legislation have not been repealed - indeed are used by security organs. There is little police protection for victims of political violence. An NGO director put it this way 'Has the Zimbabwe state been effectively militarised so that elected politicians, ministers think they have power but in reality they hold office'. All real power is with those that can carry out their decisions, control the resources. If the military is in control and giving up control means giving up resources, power and being at risk of those who come into power then as long as the current situation is preferable to them than any likely alternative the incentive is to perpetuate the current situation or not allow a situation where they lose control. SADC will not or cannot intervene militarily. No one is seriously calling for this so the alternative is promoting the political parties to form a consensus, try to avoid a winners and losers scenario but then the prospect is of the crisis in Zimbabwe simply dragging on.

While levels of violence / intimidation initially reduced in 2009 and 2010, levels of fear and related mobilisation necessary to ensure ZANU-PF's continuation in power are likely to be maintained with the expectation that collective punishment will be directed at those areas that abandoned ZANU-PF in the 2008 elections. Mugabe is highly reliant on the Joint Operations Command (JOC) supposedly dismantled under the GPA but still controlling the repression. Brigadier General of the Defence Forces, Douglas Nyikayaramba said in 2011 that JOC regarded Prime Minister Tsvangirai as a security threat so it was legitimate for the army to remain in politics to counter subversion. This follows numerous statements by military and security leaders on refusing to salute anyone without liberation credentials i.e. Tsvangirai. Tsvangirai's letter of complaint to Mugabe about this and non-compliance generally with the GPA and the subsequent meeting of the GPA principals does not appear to have affected the situation with some compromises over Mugabe not unilaterally (re)appointing Chihuri the chief of police. A South Africa-based activist said 'Nyikayaramba's elevation to Major General in December 2011 seems to indicate a consolidation of hawkish elements in the military, given he was fingered as central in 2008 violence.'

Reports from civil society indicated that the 'indigenisation dynamic' is going 'beyond mining (and the 'community trust' loots) to international banks and the academic/tertiary domain (contracts are apparently not being renewed, not just Caucasian, also other non-Zimbabweans), and the new Zanuisation of civil society.' The director of a Zimbabwean NGO said 'The effect of this indigenisation intimidation and harassment at the economic level, and its prejudicing of the relative economic stability needs emphasising, but I think also this rise of the extremist ultra-nationalist fringe of ZANU linked to the Moyo cum securocrat group - and its implications for blockages eg of work permits for more and more civil society and international organisation people.'

There is widespread cynicism over the call for joint political party peace rallies, given similar previous calls aimed at international audiences and never adhered to, police partiality and repression and the inability to arrest known perpetrators from 2008.

SADC and civil society said last year that Zimbabwe was not ready for elections in 2012 without constitutional and legislative reforms. COPAC, the group charged with drafting a new constitution under the GPA has now completed its national report which in theory should be available to the public shortly, but is now unlikely. A referendum is then supposed to happen, followed by an election under a new constitution, but factors such as constant ZANU-PF delays and militia threats against COPAC leaders undermine this. The ZANU-PF lead has also

allegedly been castigated by Mugabe for a clause in the leaked draft constitution saying no presidential candidate should serve more than ten years – which they fear could rule out Mugabe standing. Many see this as an ingenious backhand way by elements in ZANU-PF to remove Mugabe.

Since the discovery of alluvial diamonds in Marange (Chiadzwa), in 2006, the area has seen violence, social instability, and environmental degradation with diamonds having allegedly become a source of income for corrupt individuals, a repressive ZANU-PF regime and its military allies, and suspicions that illegally-controlled revenue will be used for ZANU-PF violence against opponents – although actual evidence for this is circumstantial. A recent Human Rights report named the top political and military people in ZANU-PF who were creaming off the revenues and the Finance Minister has estimated that at least \$600 million is missing – many think it is far more than that.

Zimbabwean civil society sees the following as crucial. SADC, as GPA guarantor, needs to ensure elections comply with SADC guidelines, but also deal with outstanding disagreements - staffing of the Zimbabwe Elections Commission to make it demilitarised, independent, and adequately-resourced, the role of the security forces in repression, repealing of legislation prohibiting freedom of expression and movement, plus the role of election monitors. A new constitution is crucial including electoral reforms like an accurate voters' roll, guarantees for media freedom, promotion of gender equality and equal access by all political parties to state media. The roadmap must layout contingency plans of steps to be taken in the event that a constitutional referendum produces a No Vote. All soldiers should be returned to barracks.

In this context it is welcomed that the EU on 17 and 18 February today has made decisions on its measures regime which should encourage SADC. 51 persons and 20 companies have been taken off the targeted measures list as was announced today. While being in line with what many Zimbabweans (some quietly) think by maintaining the appropriate measures until such time as genuine progress has been made, the EU has by removing one third of individuals and two thirds of firms and the Article 96 be reviewed in six months indicate a willingness to react to improvements in the situation in the country as called for by SADC. The debate on their efficacy and how to nuance them will continue of course. Some outsiders would like to see a detailed campaign linked to raising awareness through available media avenues and thereby linked into popular struggles and consciousness, and thence to regional solidarity – while acknowledging that this would not be easy.

At the ZEN 2011 AGM Conference “Zimbabwe’s Transition – How Can Europe Contribute?” held in London on 12 December 2011, Zimbabwean civil society said their expectations needed to be seen in the time context and general environment. ‘The time context had heightened lately by the talks about elections in 2012 at the ZANU-PF Conference in December 2011. Part of the time context was also the increased targeting of Civil Society Actors, journalists and supporters of democratic change. The week before the conference, employees of the Media Monitoring Project of Zimbabwe (MMPZ) had been arrested and were still in jail. The week before, Daily News journalists had been arrested. Two weeks before journalists of the Standard had been detained. ZANU-PF was of the belief that it was not running an election against another party but against the West, the former colonisers. Forced dichotomies had been manifested in the UN Universal Periodic Review (UPR) process when Zimbabwe's report was heard in Geneva in October 2011. The impression had been created once more that anyone criticising the government was not interested in “bread and butter issues” but only in Western issues.

Once more, ZANU-PF was using the “fist in the glove” approach, ensuring little GPA progress while orchestrating oppression. Much of the November/ December developments needed to be analysed against this background. Firstly, the targeting of civil society activists was aimed at targeting their credibility. An account of the ZEN meeting in London had been published in *The*

*Patriot* newspaper before invitations had been issued. Secondly, intimidation was a key element. *The Patriot* was presenting private information on specific individuals such as trade union leaders, even showing pictures for identification on the streets. Thirdly, diverting attention from the real issues that the media should focus on was a key feature of the ZANU-PF approach. The diversion at that time was the marriage or non-marriage of Prime Minister Tsvangirai. This news hit the news-stands while ZANU-PF was preparing for its Conference. At the same time as the media focused on the marriage story, people were being arrested. Half of the energies of civil society were then concentrated on releasing the MMPZ employees at a time when elections should have been the real focus.

There were five suggestions by Zimbabwean civil society to Europe: First, the EU governments should follow up the recommendations which Zimbabwe had taken up at the UPR in Geneva. Second, the Europeans should call for credible reforms prior to the holding of elections. Zimbabwean civil society did not want elections in 2012 since necessary reforms were not in place. Third, SADC was a key stakeholder. Given that direct involvement by European actors was used by ZANU-PF for propaganda purposes, support to SADC and the African Union were crucial. Therefore European actors should e.g. look at the five principles that civil society had announced calling for their observation by SADC. During advocacy initiatives with regional stakeholders, Europeans could take up Zimbabwean civil society advocacy issues. Fourthly, European should continue humanitarian and social components of aid. Fifth, continuous support to civil society was necessary – especially on a long time basis. Funding on short time basis posed challenges on long term planning. President Mugabe never told in advance when he was intending to hold elections, giving him the advantage of knowing how much time was left. Elections were not an event but a process. Need was to ensure that people could vote free and fair. But their vote also needed to be protected after the election.

The AU Summit at the end of January was when SADC examined having another summit on Zimbabwe – and some link this to Mugabe's meeting with Obiang of Equatorial Guinea to build counter pressure to Zuma. However the Summit focus became very internal with South Africa mainly preoccupied in the fight over the top spot in the AU secretariat. A fact-finding mission from Pretoria is due to visit shortly but at an unspecified date. Lindiwe Zulu admitted that South Africa had taken its eye off the Zimbabwean ball but was ready to re-engage thoroughly. It was worrying though that President Sata of Zambia is reported to state that there were no problems in Zimbabwe, bar Tsvangirai being a Western stooge.

Continued outside and long-term support for and solidarity with churches and civil society is vital. One task that local civil society has is to call for maximum regional solidarity and legitimacy and to navigate regional politics as adroitly as possible.

Zimbabwe Europe Network  
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