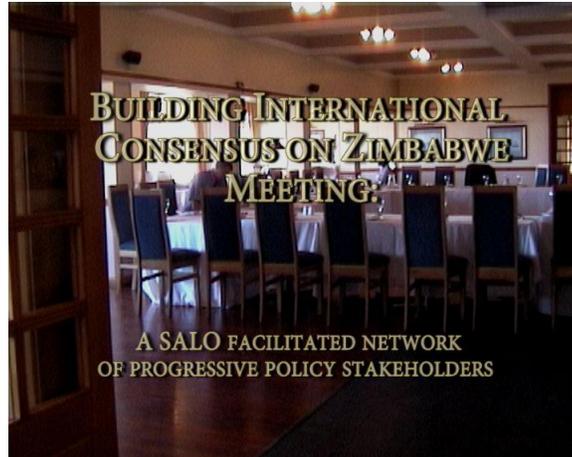


## Building International and Regional Consensus *Zimbabwe Policy Dialogue Report No.1*



### Introduction

In the aftermath of the Kinshasa SADC summit and the recent EU visit to Zimbabwe, 35 participants of the Building International and Regional Consensus policy dialogue network on Zimbabwe were convened on October 5, 2009 by the Southern African Liaison Office (SALO). The national, regional and international stakeholders in attendance, including civil society, policymakers and diplomats, were brought together to encourage greater North/ South policy dialogue and to discuss ways they can engage moving forward.

The meeting began with an account of two recent encounters between the international community and Zimbabwe. The first surrounded the SADC meeting in Kinshasa and the second concerned a visit by a high level EU Troika that re-launched official dialogue with the Zimbabwe state. The outcomes of these encounters were shared with participants and an analysis of their significance informed the discussion that followed. In keeping with the core purpose of SALO the bulk of the meeting was spent identifying how the international and regional community might more effectively engage with Zimbabwe in the future.

### SADC meeting



SADC leaders met in Kinshasa September 7-8, 2009. There were high expectations from many observers that the SADC Summit would be a defining moment in which the regional body would push Mugabe to honour his commitment to the GPA. **Charmaine Williamson**, a **SALO board member** and chair of the meeting, talked of the anticipation that was felt in advance of the summit and the hopes that

it would move things forward. In keeping with the quiet and closed door approach to the issues of Zimbabwe, SADC made very little public comment on the issues that were expected to be raised. Despite the 'one-sided formal conclusion of the SADC summit in Kinshasa' on Zimbabwe, some, including **H.E. Sten Rylander, Ambassador of Sweden to Zimbabwe**, believe that statements made in meetings before and since the summit indicate that there is strong support from President Zuma and others in SADC for the need for full implementation of the GPA as the key to reengagement. Indeed the repeated calls for the full implementation of the GPA may well have become the public language through which spoilers of the agreement are being called to order. As **Professor Brian Raftopoulos, also a SALO board member**, explained in commenting on the outcome of the summit: "SADC continues to see Zimbabwe not just as a governance problem, but also as a North-South issue and I don't see that changing, which is why we saw the Zuma position very quickly contained by the Kinshasa summit."

## EU Visit

"It's very good to be here again and to have another opportunity to use this constructive platform established by SALO, in order to make headway in our efforts to normalise relations between Zimbabwe and the European Union", Rylander told the delegates.

The EU and Zimbabwe met in Brussels on June 18, 2009 to re-launch the official dialogue between the two parties. As a follow-up to this meeting, which marked the first step in normalizing relations between the EU and Zimbabwe, an EU Troika delegation visited Zimbabwe September 12-13, 2009. The visit was the first by an officially mandated EU delegation from Brussels in 7 years.



**Sten Rylander** reported to the gathering that the EU team met with the three principals, Mugabe, Tsvangirai and Mutambara, in what were described as very friendly discussions. The talks with the three leaders reinforced the importance of full implementation of the GPA, and that the continued engagement with the EU depends on their commitment and progress towards this implementation.

Unfortunately, the visit confirmed that there has yet to be significant progress made since the June 18 meeting. A framework document has been developed, but the commitment plan that will lead to a joint roadmap as the next step of the process has yet to materialize. The EU prefers to see the Zimbabwe commitment plan first and then draft a response to it, but this has been refused by the Zimbabweans who are calling for them both to be submitted simultaneously. As an alternative, the EU has proposed that specific substantive issues be put on the table and dealt with one by one, but again the Zimbabwean government has not yet accepted this plan.

## The Way Forward

Understanding the current dynamics on the ground is important in designing an effective advocacy and policy strategy. Speakers identified signs of possible openings and entry points that SADC, South Africa, the EU and others can rally behind and encourage. Knowing which issues are identified as blockages to progress is also key to effectively interacting with the inclusive government and putting pressure in the right places. This includes an analysis of the ***internal challenges facing the inclusive government***.

In the aftermath of Kinshasa, it is also important to look at what ***SADC and South Africa's role*** should be and what impediments stand in the way of them taking on their role as guarantors of the agreement in a more decisive manner. Unrealistic expectations are likely to lead to a sense of disappointment and frustration that may be misinformed or unrealistic in the context of a fully informed analysis of the dynamics within SADC and of its real intentions. The speakers at SALO's Building Consensus policy

dialogue spoke of a number of possible ways forward and areas which they feel particularly require international and regional pressure, including constitutional and security sector reform, press freedom and enforcement of the rule of law.

- **Current situation on the ground**

Speakers in the dialogue confirmed that news from the ground is mixed in terms of Zimbabwe's progress in implementing the GPA. Rylander reported that the enforcement of the rule of law continues to decline, with land issues at the top of the debate. Overall, GPA regulations are not being followed, and agricultural production is suffering. He also mentioned that media freedom continues to suffer, the most recent setback being the appointment of military personnel to the boards of government-owned media institutions and Dr. Tafataona Mahoso as Chair of the Broadcasting Authority of Zimbabwe, a man who is known as the 'press freedom hangman'.



**Isabella Matambanadzo, Zimbabwean civil society leader and feminist,** highlighted the difficult political situation that has come with the inclusive government: 'I think as we approach the end of 2009, the year in which the inclusive government became effective, its really important for us to talk about the challenges, the opportunities and frustrations of working in Zimbabwe today. On a regular day I think we have a dual government, and on a not so regular day I think we have three governments in one, when I count the influence of the municipal governments and traditional leaders.

Then I really think we have structures that have disintegrated, and that shows that the capacity of the state to provide critical services to citizens in Zimbabwe has shifted dramatically. I see a virulent wasting away of resources, institutions and of people, and I see too that our political and our legal systems have suffered many forms of contamination. That means rebuilding credibility of these institutions, the political and legal systems in the country, is a key issue for our future.'

The lack of internal cohesion within the MDC formations, within ZANU-PF and between the parties to the inclusive government, is also affecting the ability of stakeholders to work effectively. Disagreement within the MDC, specifically on whether or not to pull out of the inclusive government, was cited as a critical concern by several panelists and participants. However, some including Rylander reported that the MDC seems likely to stick it out despite their differences for the time being, although a process of consultation with party members and supporters would be likely to form part of the process moving forward. Struggles within ZANU-PF were equally challenging, with 'very ugly in-fighting' being seen in recent congresses of the youth movement as well as different factions of women. The lack of cohesion within the Inclusive Government was identified as the major obstacle to effective engagement by the international community.

There are, however, also indications that the situation is improving, providing opportunities that could be taken advantage of. Matambanadzo mentioned the positive development of actually being able to draw currency at the banks as a sign of progress since the inclusive government was inaugurated. Rylander emphasized that the recent case which overturned the terrorism charges against Jestina Mukoko and 9 others on the grounds that their human rights have been violated could be seen as one step towards a more independent judiciary. He also cites the ruling in the recent Marange diamond mining case which went against the government's interests as a possible sign of renewed respect of the rule of law by the inclusive government, a stipulation of the GPA.



**Brian Raftopoulos of the Solidarity Peace Trust** suggested that the current situation in Zimbabwe might develop into one of 3 scenarios: ***breakdown, renewal and continued uncertainty.*** The ***breakdown***

scenario would occur if the MDC pulled out of the inclusive government completely. Raftopoulos indicated that this scenario is unlikely, as it would not achieve the state reform goals that MDC is looking for, and it may spell the end for the MDC as a party. The second scenario, **renewal**, would be the full implementation of the GPA, and while this would be ideal it is unlikely to occur at this moment. The most probable scenario would be the third, **continued uncertainty**. That is, the situation is liable to continue much as it has in the recent past, with different signals coming out of the country, both positive and negative, in regards to the respect for human rights, freedom of the media, and other key issues. The question now for the international and regional community is how we can most effectively deal with this scenario, and what issues we should focus on in support of ensuring that the GPA agreement is implemented. However, he notes that ‘...the international community is hesitant - wanting to engage but hesitant to do so because of lack of movement on the GPA’. It is this cycle of uncertainty, lack of progress and related reluctance to engage, and further uncertainty that has become the cycle at the heart of the current impasse.



**Mr Wilfred Mhanda – Zimbabwe Liberation Veterans Forum** – “I’m really talking here from the perspective of a former liberation fighter representing Zimbabwe Liberation Veterans Forum, which was formed in response to wave of anarchy and force that gripped Zimbabwe in the years 2000. It was formed actually in defence of what we believe is our legacy. What is important is we are at this present moment in time talking about the struggle for democracy, the struggle for good governance. But what is important is to underline the continuity of that struggle from the colonial period to the current, because we still struggling for that freedom, for that democracy, for those rights, there is a continuity. Actually what we are dealing with in Zimbabwe now is the Rhodesian legacy, because that freedom that we fought for, still is not there. Talking about current issues that confront us, we have the inclusive government, the Global Political Agreement. The problem that I see now, which is clouding our thoughts, is that we are not taking the inclusive government as a means to an end. We believe we are almost there, we are 95% there, forgetting that this is only a transition”.

- **Key issues**

Presenters at the policy dialogue spoke at length about several key issues they felt were of importance for the international and regional community to focus on and to press for joint action from the inclusive government.

**Constitutional reform** was high on the list for most of the presenters. Raftopolous believes the need to take advantage of the opportunity presented by the GPA to finalise this debate is of paramount importance. He fears that if we do not now ‘find ways to push for constitutional reform,... it will be off the table for a very long time’.

Matambanadzo presented a number of key items that would need to be a part of the constitutional reform agenda, including the rights to a life with economic dignity, a life free of rape and sexual crimes, and the right to health and health care.

**Security Sector Reform** was also cited as a critical concern that stakeholders should focus their attention on. Matambanadzo feels strongly that reform of the security sector is imperative. The loyalty of the armed forces to the inclusive government must be assured, and there should be provisions in the constitution to prevent the ability of the state to mobilize militias and to organize against its citizens. She also felt there should be a clause in the constitution to prevent abductions, disappearances and torture, and believed that there is some space opening for this dialogue.

**Mr. Jeremy Brickhill** of the newly formed **Zimbabwe Peace and Security Program** spoke as well about the importance of a reform of the security sector that is driven by Zimbabweans and designed

and signed off on from the start by all the key national players. “I’m speaking here on behalf of a group of Zimbabweans who are emerging for the very first time. ZSPF has been established by Zimbabweans of all perspectives. We aim to provide a national framework for addressing security sector transformation in Zimbabwe. We are professionals who have worked in security sector processes all across Africa. We have access to considerable African and global experience in the security sector.”



**Enforcement of the rule of law** was the other major issue that the speakers highlighted as an essential reform focus. Rylander highlighted the land reform debate as ‘the frontline in the whole debate on the defence of the rule of law in Zimbabwe... We have on a daily basis farm invasions taking place, people being beaten up...as far as you can get from upholding the rule of law.’ This has created ‘a total lack of confidence with potential investors’, not to mention the Zimbabwean people’s confidence in the inclusive government’s ability and desire to protect its citizens.

Other issues mentioned included improving **media freedom** to ensure there is independent press that can bring information to the people of Zimbabwe; continued strengthening of a **civil society**, including unions and workers movements, with an active voice in shaping the future of Zimbabwe; and **reshaping political parties** so as to move beyond ‘battlefield politics’.

- **South Africa and SADC’s role**

The role that the South African government and SADC should play in this current period was discussed at length by the participants and speakers. The sentiment seemed to be largely that South Africa has not used its influence within the region and SADC sufficiently and that it could play a stronger role in pushing for the full implementation of the GPA and an end to human rights abuses in Zimbabwe. However, Rylander commented that he has seen ‘a kind of sea change in the SA behaviour. They seem much more engaged...much more concerned, much more balanced, and I think they are going to try and use their influence within SADC to try to push the parties in Zimbabwe do better in terms of implementing GPA.’ This represents a significant departure from what many feel was the ineffectual ‘quiet diplomacy’ of Mbeki’s government. Matambanadzo agreed that there has indeed been a shift in attitude. She has seen a shift towards a much more respectful and positive manner in how the MDC is treated by the South African government, and reported that there was greater MDC access to the South African state.

The view was expressed that SADC has also not lived up to the expectations of many stakeholders. Matambanadzo stated that ‘Pan-African institutions on our continent have really failed to handle the Zimbabwe situation in a decisive way. In their view...they say they did what they could do, and Zimbabweans should have done more for themselves...But I think that the discrediting of the political and legal systems in Zimbabwe extends to the Pan-African systems and the apparent hands off approach- we see.’



**Boichoko A. Dithlake, chair of the SADC-NGO Council**, believes that part of the problem is the structure of SADC itself, and that different expectations and a new approach are required by those seeking to influence it. SADC is made up of its member countries and their particular histories and the historical allegiances between them inform the manner in which they respond to one another. It is unrealistic to expect that a yearly summit of the heads of state will champion the cause of the regular citizens of the region. Politically, it is very difficult for SADC heads of state to publically condemn the actions of one of their members.

There needs to be significant pressure from the citizens of the member countries on their respective

heads of state to speak out on behalf of issues like Zimbabwe. Dithake suggests that **SADC needs to be reformed from within**, that ‘we need to invest a lot of time within civil society’ to develop ‘a common perspective...on a number of positional issues we should be able to develop a very solid international position and strong solidarity.’ Only by laying very serious groundwork at the national level in the months leading up to a summit can there be hope that the SADC leaders will realize that they must speak up on issues critical to their people.

Enforcing the rulings of the **SADC tribunal** is another important role that SADC can play, but the institution is in danger of losing credibility. If there are no repercussions for Zimbabwe’s pull-out from the body and refusal to ratify the protocols, then the Tribunal will be as toothless as its critics claim, and a crucial mechanism for regional pressure will be silenced. Applying pressure for the public release of the **Generals’ Report**, which must have been drafted following a fact finding visit to Zimbabwe by a regional delegation of Generals in April 2008, could be a clear joint advocacy focus. Matambanadzo said that ‘In terms of the whole healing process and the truth and reconciliation ideas in Zimbabwe, I think that report is fundamental, and the findings of that report and what that report says. So there is a role that SA can play in supporting national healing there.’ Richard Smith, a SALO board member, agrees that the report is key in that it exposes people and their methods of keeping a grip on power, and believes it should be communicated widely.

## Conclusion

Whether we believe the GPA is a good mechanism for Zimbabwe to move forward or not, as Smith reminded the participants, it is *the* new arena of contestation with which we have to engage. Raftopoulos and others seemed to agree that elections at this juncture would not be desirable, and that they would not take Zimbabwe forward at all. Other ways of opening up spaces for reform will need to be sought. The international community, as well as South Africa and SADC, will have to identify key issues and jointly engage the inclusive government to make small steps forward. Even modest progress will be difficult, however, given the political challenges on the ground.

**The analysis and recommendations included in this Policy Dialogue Report do not necessarily reflect the views of SALO or any of the conference participants, or donors to the project, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. Therefore, it should not be assumed that every participant subscribes to all of its recommendations, observations, and conclusions. For further information, please contact SALO.**

### About the Southern African Liaison Office:

The Southern African Liaison Office (SALO) is a non-governmental organisation which promotes informed, solution-focused debate about regional conflicts and crises. SALO does this by organising dialogue events and forums for informed discussion amongst key government and civil society actors from South Africa, the SADC region and internationally, as well as through lobbying and advocacy, documentary media production, research and analysis.

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