

## INTERNATIONAL CRISIS GROUP - NEW REPORT

### Post-Election Zimbabwe: What Next?

**Pretoria/Brussels, 7 June 2005:** Unless the international community starts planning together for a peaceful transition to democracy, Zimbabwe faces chaos and violence as the Mugabe era draws to a close.

[Post-Election Zimbabwe: What Next?](#),\* the latest report from the International Crisis Group, examines the situation in the country since the 31 March 2005 parliamentary elections that confirmed the full control of President Robert Mugabe and his ZANU-PF government. Neither free nor fair, that poll was yet another phase in the crisis that has dominated Zimbabwe's political life for the past five years. But change is coming.

"The post-election situation may seem like business as usual, but Mugabe's era is ending", says Peter Kagwanja, Crisis Group's South Africa Project Director. "Both ZANU-PF and the opposition Movement for Democratic Change (MDC) now face existential challenges".

Mugabe and ZANU-PF again manipulated the electoral process through a range of legal and extra-legal means to ensure that the election was basically decided well before the first voters reached the polls. The party now holds the two-thirds majority required to amend the constitution, and ZANU-PF is expected to use that power to prepare a safe and honourable retirement for its 81-year old leader.

However, ZANU-PF is beset with factionalism, as powerful figures position themselves for the succession fight. The main factions substantially represent still unreconciled ethnic interests, suggesting that holding the party together may be difficult.

The MDC must also decide fundamental questions, including whether to pursue more confrontational and extra-parliamentary opposition despite the risks.

It is time for all concerned -- Mugabe himself, ZANU-PF, the MDC and the international community -- to begin planning for Mugabe's departure at the earliest possible moment. Such action is in the country's best interest and perhaps its only realistic chance to solve its interlinked crises. The U.S., the EU and international financial institutions should make it clear there will be no end to targeted sanctions, no prospect of substantial aid, and no resumption of normal relations unless there are real changes, not only in the names at the top of government structures but in governance.

It is particularly important for South Africa to undertake an urgent review of its unsuccessful policy to date and explore new options, including cooperation with the Commonwealth and the G8 to urge its neighbour back on the path to more moderate political and economic policies.

"The policy of 'quiet diplomacy' has failed", says Nancy Soderberg, Crisis Group vice president and acting director of the Africa Program. "The international community must act now to ensure that a post-Mugabe Zimbabwe will not be explosive".

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**\*Read the full Crisis Group report on our website: <http://www.crisisgroup.org>**

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## **Post-Election Zimbabwe: What Next?**

### **EXECUTIVE SUMMARY AND RECOMMENDATIONS**

The 31 March 2005 parliamentary elections that confirmed the full control of President Robert Mugabe and his ZANU-PF government were neither free nor fair and disappointed those who hoped they might mark a turn away from the crisis that has dominated Zimbabwe's political life for the past five years. The post-election situation looks deceptively familiar. In fact, Mugabe's era is coming to an end, both the ruling party and the opposition Movement for Democratic Change (MDC) face existential challenges, and the international community needs to urgently rethink strategies and find new ways to maintain pressure for a peaceful democratic transition.

Mugabe and the ZANU-PF party used more sophisticated methods than previously but they manipulated the electoral process through a range of legal and extra-legal means to ensure that the election was basically decided well before the first voters reached the polls. With the addition of the 30 representatives Mugabe has the right to appoint, his party now holds 108 of the 150 parliamentary seats, comfortably above the two-thirds majority required to amend the constitution at will. ZANU-PF is expected to use that power to prepare a safe and honourable retirement for its 81-year-old leader, who has said he does not want to stand for re-election in 2008.

However, ZANU-PF is beset with factionalism, spurred by the desire of powerful figures to position themselves for the succession fight. A taste of the blood-letting was provided by a bitter party congress in December 2004, but the fact that the main factions substantially represent still unreconciled ethnic interests suggests that holding the party together may be difficult.

In the wake of another stolen election, the MDC must decide fundamental questions, including whether to adopt a more confrontational and extra-parliamentary opposition despite the prospect that any street action risks calling down the full repressive power of the security services. Leadership and party program issues are as much under review as tactics, and some old supporters are asking whether the party can and should survive in its present form.

The "quiet diplomacy" of South Africa, the single state with potentially the greatest influence on Zimbabwe, has failed, at least to the extent it sought to mediate a compromise end to the political stalemate, and the Zimbabwe opposition has indicated it no longer accepts Pretoria as an honest broker. The U.S. and the EU have not hesitated to speak frankly about the quality of the election -- unlike the African states and organisations that have praised it out of apparent reluctance to break solidarity with a one-time revolutionary hero -- but they are no nearer to finding a way to do more than symbolically protest the situation.

The one point on which broad consensus may be possible is that Mugabe needs to go, and quickly, in the interests of his country. That is probably the single most important step, though far from a sufficient one, that can begin to create conditions for a peaceful transition back to democracy and a functioning economy. He cannot be taken at his word that he will leave in 2008, and that is a very long time to wait for a country suffering as much as Zimbabwe is. Regional and other international actors should push for a credible earlier date.

Mugabe's would-be successors within ZANU-PF know their country cannot afford indefinite isolation. In particular, the U.S., the EU and the international financial institutions should make it clear that there will be no end to targeted sanctions, no prospect of substantial aid, and no resumption of normal relations unless there are real changes, not only in the names at the top of government structures but in governance. Indeed, they should signal that in the absence of such changes, ZANU-PF leaders run the risk of stronger measures that may grow out of closer investigation of such policies as their misuse of food aid for political purposes and the general looting of the economy.

ZANU-PF is calling the just concluded election a fresh beginning. It is not. Economic meltdown, food insecurity, political repression and tensions over land and ethnicity are all ongoing facts of life that the election has not changed for the better in any way. But Zimbabwe's crisis is not frozen. In recent weeks, the government has arrested more than 30,000 small, informal traders in the major cities, allegedly to fight the black market but probably at least as much to head off a growing risk of spontaneous protests against economic privation. The ageing of the old and the conflicting ambitions of the would-be new ZANU-PF chieftains, as well as the growing frustration of what until now has been a remarkably non-violent opposition, ensure that change of some kind is coming soon. Unless Zimbabwe's friends get busy and get together, it is all too possible it will be violent and chaotic.

## **RECOMMENDATIONS**

**To the Zimbabwe Government and ZANU-PF:**

1. Issue an immediate appeal for food aid, and allow the unhindered delivery of humanitarian assistance, including by NGOs, with transparent distribution mechanisms.
2. Set a date for the president's retirement before 2008 and initiate discussions with the international community and the opposition as to the parameters of an orderly transition, including the holding of new and joint presidential and parliamentary elections monitored by the UN.
3. Demonstrate restraint in the exercise of the two-thirds parliamentary majority and the concomitant power to amend the constitution without regard to opposition views and launch a process of legislative revision or repeal designed to dismantle the restrictions on fundamental freedoms contained in such laws as the Public Order and Security Act (POSA), the Access to Information and Protection of Privacy Act (AIPPA), and the Private Voluntary Organisations Act (PVO).
4. Conduct a comprehensive review of the electoral law in light of the experiences of the recent parliamentary election and specifically initiate a series of confidence building measures, including:
  - (a) elimination of the presidential power to appoint 30 non-elected parliamentarians;
  - (b) wider and fairer use of absentee ballots; and
  - (c) clarification of responsibilities and removal of overlaps with respect to such bodies as the Zimbabwe Electoral Commission and the Election Supervisory Commission.
5. Withdraw the NGO bill from parliamentary consideration in its current form.

**To the MDC:**

6. Establish a clear party position on next steps and the best way to exert pressure on the government to speed a political transition, and specifically:
  - (a) revitalise strategic alliances and partnerships with civil society and other stakeholders;
  - (b) hold party elections in order to refresh leadership and renew party structures;
  - (c) concentrate on developing practical alternative programs on crucial issues affecting the daily lives of Zimbabweans including the deteriorating economy, food insecurity and human rights abuses; and
  - (d) rebuild external relations, especially with Southern African governments and the African Union.

**To the South African Government:**

7. Acknowledge the insufficiency of its existing policy toward Zimbabwe and conduct a comprehensive review that:

- (a) takes into account diverse views from the left, right and centre inside South Africa;
- (b) includes clear estimates of the overall costs of the Zimbabwe situation to South Africa's economy and regional stature and democracy in the region; and
- (c) is directed at finding a more effective way to resolve Zimbabwe's political crisis and counteract its economic implosion.

8. Give particular consideration in the course of this policy review to the following not mutually exclusive options:

- (a) working with the Commonwealth, especially its secretariat and office of the chairperson (currently held by Nigeria's President Obasanjo) to support comprehensive democratic reforms and to assess progress on governance and restoration of the rule of law; and
- (b) encouraging the G8 member countries to use their 6-8 July 2005 summit to send a clear message to Zimbabwe that neither major donors nor international financial organisations will give funds unless there is evident progress in re-instituting a regime based on the rule of law, good governance and respect for human rights.

9. Use the chairmanships of the African Union's Peace and Security Council and the Southern African Development Community (SADC) organ on politics, defense and security to press President Mugabe to set a date for his early retirement, and the Zimbabwe government to undertake credible measures to ease the political crisis and facilitate economic recovery.

**To the Southern African Development Community (SADC):**

10. Review its principles and guidelines governing democratic elections so that observation teams are independent, depoliticised and empowered to study all the elements required to ensure a free and fair election, including the absence of control of the media, selective and politically motivated prosecutions and law enforcement, intimidation, corruption, gerrymandering and control of voter rolls.

11. Reach out to democratic forces in the region, including the opposition in Zimbabwe.

**To the Nigerian Government:**

12. Use the chairmanships of the Commonwealth and the African Union to intensify pressure on the Zimbabwe government to embark on democratic reform and economic recovery.

**To the African Union:**

13. Pursue implementation of the January 2005 Report of the Executive Council of the African Commission on Human and People's Rights calling for Zimbabwe to restore an impartial judiciary and security forces, cease arbitrary arrests of political opponents and revise restrictive media and security legislation.

**To the Wider International Community, Especially the United Nations, European Union and the United States:**

14. Seek unrestricted access for humanitarian aid in Zimbabwe and examine in a coordinated fashion whether the continued use of food as a political weapon in that country is sufficiently systematic, widespread, and focused on opposition supporters to warrant referral to the UN Security Council.

15. Press President Mugabe to set a date for his retirement sooner than 2008 and initiate discussions with MDC and ZANU-PF officials about a credible transition process and the contours of a post-Mugabe government.

16. Expand assistance to the democratic forces in Zimbabwe looking to promote a peaceful and speedy transition, and explore expanding the scope of targeted sanctions against senior individuals in and around the Zimbabwe government and ZANU-PF and the numbers and categories of persons affected.

**Pretoria/Brussels, 7 June 2005**