



**States in Transition  
Observatory**

# **GNU Watch Zimbabwe 6 Month Review**

This document is not meant to be a comprehensive report on the state of the interim government of Zimbabwe. Rather it is aimed at giving an overview of political developments under the terms set out in the Global Political Agreement (GPA). August 2009 marked 6 months into the new interim government as it functions under the parameters of the GPA. This report is a summary of the 6 individual month to month GNU Watches produced by Idasa to mark the moment (April to September 2009)

**Best printed in A5 format as a booklet**

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Action taken in relation to the relevant article is on average:

In the direction of compliance with the GPA

Shows no conclusive action towards compliance with or contravention of the GPA

In contravention of the principles laid out in the GPA



[Please Click Here](#) to download the Global Political Agreement (GPA) against which this analysis is drawn.

[A people's guide to the agreement](#) - Africa Community Publishing and Development Trust (ACPDT)

For individual GNU Watches, click on the month: [April](#) [May](#) [June](#) [July](#) [August](#)

\*Disclaimer – this document draws on reported activities and news media. It is not intended to be comprehensive and is, to the best of our knowledge accurate at the time of release.

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## **Constitution**

The parliamentary select committee, formed to provide a structure for writing a new constitution within 18 months, indicated that it may take until 2013 if timelines are adapted to match the 5 year term in office for members of parliament. The committee also says it has no money to fund the process. A People's Convention and the first All Stakeholders Conference were held in July for input from key institutions and civil society on the process of drafting a new constitution, but the NCA and some civics objected to a parliamentary as opposed to a people-driven process of constitutional reform. A second area of contention emerged over ZANU PF's insistence that the Kariba Draft Constitution, which emerged during inter-party negotiations in late 2007, be the founding document for drafting a new constitution.

The short lists for potential members of the Zimbabwe Media Commission (ZMC), the Zimbabwe Human Rights Commission and Zimbabwe Electoral Commission (ZEC) have been agreed upon. There has however been no progress towards establishing the Zimbabwe Anti Corruption Commission (ZCC). Hearings were held to select the Zimbabwe Media Commission, but the process has faltered due to ZANU PF objections to the selection process.

## **Economic Development**

The National Economic Council has still not met, but some economic gains have been made as the Ministry of Finance has regained control of most government expenditure, leaving the Reserve Bank of Zimbabwe with less influence over the economy. However, a marked dispute between the Reserve Bank and the Ministry of Finance remains in respect of the use of the US\$510 million Special Drawing Rights allocated to Zimbabwe, with the Reserve Bank wishing to use these to manage various internal debts and the Ministry insisting that any further debt be incurred only for capital reconstruction.

The Zimbabwe dollar has been replaced by the US dollar and South African Rand, a move that has contributed to the stabilisation of the economy and brought hyperinflation under control. Economic growth is estimated to reach 3.7% by the end of 2009. The government has begun to collect about US\$90 million monthly with increased tax collection since July, but this is still grossly inadequate and tensions over civil servants' salaries, which average between US\$100–180 per month, are rising. Reconnection with international bodies on a technical and consultative basis, such as the International Monetary Fund (IMF) and the World Bank (WB) has begun.

Food stuffs and many consumer goods are now available in most urban areas but are often unaffordable for the man-on-the-street. Finding foreign currency is difficult particularly for people in rural areas. That said, for urban consumers, transactions have become easier as it is possible to pay for some goods and services via inter-bank transfers and the use of cards at point-of-sale terminals. US dollar cheques have also been issued by some banks.

## Electoral Vacancies

There are 15 by-elections overdue for vacant seats in the House of Assembly, and this delay is now in breach of Zimbabwean law. Government claims that they cannot afford to run the by-elections and also that they cannot take place until Mugabe declares that by-elections will be held. In addition, a new and independent Zimbabwe Election Commission is yet to be created and thus the discredited previous ZEC would be the body to run any polls. The September 15 deadline has passed for the one year ban on the 3 political parties which signed the GPA contesting elections, but there is talk that this timeline will be extended.

MDC-T MP's are claiming to be victims of a ZANU PF campaign to reduce their slim majority in parliament through the selective prosecution of several legislators. The prosecutions appear to be vexatious as the cases are failing in the courts with the MPs either being exonerated or being in strong positions on appeal.

The position of ZANU PF Vice President, Joseph Msika, remains vacant, while 3 MDC-M MP's are contesting expulsion from their party.

## Donor Funding

Funding for some reconstruction as well as humanitarian aid is being channelled through NGO's and the UN to avoid possible mismanagement of funds by the Reserve Bank of Zimbabwe and other government institutions until full implementation of the GPA. A multi donor trust fund has been established within the Ministry of Finance and the IMF and WB are re-evaluating Zimbabwe and are providing technical advice. There have been strong statements from the EU and the US that full support will not be resumed until there is effective compliance with the GPA.

## Framework for a National Government

In August, Jacob Zuma, as then chair of SADC, encouraged the government to urgently resolve all outstanding issues. However, the SADC Heads of State meeting in September in the DRC was disappointingly weak in its public statements on the Zimbabwe question. Further, the 19th Constitutional Amendment passed by parliament is allegedly different from that signed by Mugabe which has implications for the timelines for a free and fair election. Morgan Tsvangirai travelled to Europe and the US to re-establish relations with Western nations but failed to persuade the EU or USA to lift the targeted sanctions or resume full economic assistance.

Outstanding Issues in relation to the GPA signed 15 September 2008:

- ≈ Failure to implement SADC resolutions of 27 January 2009;
- ≈ Mugabe's unilateral appointment of the Attorney-General Johannes Tomana and RBZ Governor Gideon Gono;
- ≈ No MDC provincial governors sworn in;
- ≈ Roy Bennett (MDC-T) has not been sworn in as Deputy Minister of Agriculture;
- ≈ Ongoing farm disruptions;
- ≈ Isolated youth militia redeployment and ongoing integration into police ;
- ≈ No merit appointment of Permanent Secretaries;
- ≈ Repealing of repressive legislation [POSA, AIPPA, etc];
- ≈ Daily ZANU PF propaganda published by state media.
- ≈ Neither party has managed to persuade the EU and US to lift 'sanctions.'

### **Humanitarian & Food Assistance**

City councils have begun to issue bills and collect revenue amid reports of high tariffs for services, even though essential services such as water and refuse collection are not provided. Food security remains fragile, especially in rural areas, while finance to purchase inputs for the summer agricultural season is needed to avoid minimal grain harvests. Some teachers boycotted classes for two weeks over low salaries. Students at under-funded tertiary institutions are battling to pay tuition fees. The healthcare sector is beginning to function again though there was one short junior doctors' strike at three state hospitals. Fears of a second cholera outbreak ahead of the rainy season are high; while some sanitation facilities are under repair in urban areas, the majority are still badly in need of maintenance or replacement. Access to clean drinking water remains out of reach for many people.

### **Joint Monitoring and Implementation Committee – JOMIC**

JOMIC has written one letter to former SADC Zimbabwe facilitator, Thabo Mbeki since the formation of the GNU but it has not reported in public on either implementation or violation of the GPA as per its mandate. A six month review document is overdue.

### **Land Question**

The EU said it would fund a land audit, and MDC T says it supports formation of a land commission, but neither are on the agenda as there is a continued escalation of both farm disruptions and persecution of farmers who remain on their land. 75 farmers won a SADC Tribunal ruling that establishes their right to remain in peace on their land, a ruling that is being ignored by ZANU PF.

### **Legislative Agenda Priorities**

Parliament met rarely during its first session and no repressive legislation has been repealed resulting in a perpetuation of the restrictive operating environment for both civil society and community based organisations and, in particular, the exercise of a free media. Seven bills were passed this year, all fast-tracked with no debate, including Amendment 19 and a series of finance and appropriation bills. General Notice 104/2009 (gazetted on 21 August) does contain a Clemency Order facilitating the release of several groups of prisoners – both in terms of an age requirement and in relation to the severity of crimes.

### **National Security Council**

The Council met once with no significant outcome and MDC-T has called for widespread security sector reform.

### **National Youth Training Programme**

Unknown numbers of ZANU PF militia continue to collect salaries and have begun to regroup in a few rural areas. In addition, there are reports that militia are being recruited into the police force through a process that has seen the lowering of recruitment requirements.

### **Free Political Activity**

Two new political parties Mavambo-Kusile-Dawn (led by Dr Simba Makoni) and the Zimbabwe National Congress (led by Dr Ibbo Mandaza and Rtd Major Kudzai Mbudzi) have been launched, and ZAPU has broken away from ZANU PF in repudiation of the 1987 Unity Accord. Political persecution has decreased compared with the period between 2000 and 2008 and, in particular, in comparison to the violence witnessed post the March 2008 election. However, while the MDC-T holds regular political rallies without hindrance, some civil society groups continue to face police obstruction of their activities. Media freedom continues to be restricted and reporting in the national news remains biased given ZANU PF's continued monopoly over state media. In response, the Prime Minister's office has launched a regular and widely distributed newsletter.

### **'Sanctions'**

The EU and US travel/visa bans and freezing of assets belonging to 203 people, mostly senior ZANU PF officials and 40 companies, linked to ZANU PF or prior government companies, remain in place with the understanding that restrictions will be lifted when full compliance with the terms of GPA is clearly evident.

### **Reconciliation**

The Organ of National Healing, Reconciliation and Integration, created by the GPA to establish/make recommendations on a mechanism to deal with these issues dedicated three days to national healing in July ahead of the release of a civil society report on 2008 post election violence. At the same time, some church leaders and civics have called for the establishment of a 'truth and reconciliation' style commission and Gideon Gono has called for blanket amnesty for all perpetrators of post election violence.

### **Rights and Freedoms**

Restrictive media laws remain in place, although international broadcasters like the BBC and CNN have been allowed into Zimbabwe in recent weeks. ZANU PF controlled Zimbabwe Newspapers launched a new daily newspaper in September following the release of the Prime Minister's popular and free newsletter. Several journalists in the domestic media have been to court for publishing a story implicating the CIO in abuses while some ZANU PF officials still insist that members of the press apply for specific accreditation before covering certain public events.

### **Rule of Law**

The rule of law is still applied selectively and to date no perpetrators of violence against MDC supporters have been arrested or charged. Notorious elements in the police, law and order and riot squads remain in place. MDC-T supporters continue to be harassed by state agents and several high level political court cases are regularly postponed for lack of evidence. A dossier has been prepared by MDC-T which implicates senior ZANU PF officials in cases of murder and political violence

### **Civil Society Mechanisms**

The majority of civil society reports monitoring the GPA/GNU are critical of the slow and limited progress of the Interim Government (IG). This is also indicative of an opening of space for civil society activity. Civil society analysis of and engagement with the IG is, however, complicated by fragmentation in the sector over both the Organ for National Healing, Reconciliation and Integration and, the stance taken by the NCA, ZCTU and some civil society organisations in protest over participation in the parliamentary-driven process of preparing a new constitution.



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