



RESEARCH PAPER 05/58
18 AUGUST 2005

Zimbabwe after the 2005 parliamentary election

This paper considers the situation in Zimbabwe following the parliamentary election of 31 March 2005, in which President Mugabe's ZANU-PF party secured the two-thirds majority in Parliament that would allow it to amend the Constitution without opposition support. It reviews the political, human rights, economic and humanitarian background against which the election took place, the conduct and results of the election and international reactions. The paper also considers the present state of the main political parties and developments since the election. In particular, it looks at "Operation *Murambatsvina*", the campaign of widespread demolition and evictions launched by the Government in May 2005 against small traders and informal housing in Harare and other urban centres; the resulting humanitarian crisis; and the international response. Finally, it considers future prospects for Zimbabwe.

The following Library Standard Note is also relevant:
Asylum seekers from Zimbabwe, SN/HA/3391.

Carole Andrews

INTERNATIONAL AFFAIRS AND DEFENCE SECTION

Bryn Morgan

ECONOMIC POLICY AND STATISTICS SECTION

HOUSE OF COMMONS LIBRARY

Recent Library Research Papers include:

List of 15 most recent RPs

| | | |
|--------------|--|----------|
| 05/43 | The <i>Identity Cards Bill</i> [Bill 9 of 2005-06] | 13.06.05 |
| 05/44 | Social Indicators [includes articles: General Election 2005, NHS Waiting Lists and Targets in England] | 13.06.05 |
| 05/45 | The Future of the European Constitution | 13.06.05 |
| 05/46 | Modernisation of the House of Commons 1997-2005 | 14.06.05 |
| 05/47 | Unemployment by Constituency, May 2005 | 15.06.05 |
| 05/48 | The <i>Racial and Religious Hatred Bill</i> [Bill 11 of 2005-06] | 16.06.05 |
| 05/49 | The <i>Violent Crime Reduction Bill</i> [Bill 10 2005-06] | 17.06.05 |
| 05/50 | <i>Regulation of Financial Services (Land Transactions) Bill</i> [Bill 7 of 2005-06] | 17.06.05 |
| 05/51 | <i>Civil Aviation Bill</i> [Bill 12 of 2005-06] | 23.06.05 |
| 05/52 | The <i>Immigration, Asylum and Nationality Bill</i> [Bill 13 of 2005-06] | 30.06.05 |
| 05/53 | Economic Indicators, June 2005 | 01.07.05 |
| 05/54 | Unemployment by Constituency, June 2005 | 13.07.05 |
| 05/55 | The <i>London Olympics Bill</i> [Bill 45 of 2005-06] | 14.07.05 |
| 05/56 | <i>Armed Forces (Parliamentary Approval for Participation in Armed Conflict) Bill</i> [Bill 16 of 2005-06] | 08.08.05 |
| 05/57 | Unemployment by Constituency, July 2005 | 17.08.05 |

Research Papers are available as PDF files:

- to members of the general public on the Parliamentary web site, URL: <http://www.parliament.uk>
- within Parliament to users of the Parliamentary Intranet, URL: <http://hcl1.hclibrary.parliament.uk>

Library Research Papers are compiled for the benefit of Members of Parliament and their personal staff. Authors are available to discuss the contents of these papers with Members and their staff but cannot advise members of the general public. Any comments on Research Papers should be sent to the Research Publications Officer, Room 407, 1 Derby Gate, London, SW1A 2DG or e-mailed to PAPERS@parliament.uk

Summary of main points

- Zimbabwe's parliamentary election on 31 March 2005 was preceded by several years of political repression, human rights violations and growing economic hardship, inflicted on the country by its own government. The opposition Movement for Democratic Change (MDC) was a prime target for intimidation and violence. The independence of the judiciary has been eroded by political pressure and a raft of legislation has restricted freedom of speech and assembly, increased powers of detention and virtually eliminated the independent press.
- As a result of the Government's land reform programme, many former white commercial farmers have left the country and the decline of the agriculture sector has been a significant factor in the country's economic collapse. President Mugabe has admitted that most of the farms transferred to black ownership have never been used, and that millions of acres of prime agricultural land are lying idle. Hundreds of thousands of farm workers have been displaced.
- Zimbabwe has experienced a severe economic downturn since 1999. Real gross domestic product fell by 30% between 1998 and 2004. Unemployment and inflation are extremely high and there have been widespread resource shortages and power cuts. Along with other international donors, the UK has restricted its activities in Zimbabwe to humanitarian, rather than development, assistance. Food shortages are expected this year, with the World Food Programme estimating that around three million people will require food aid.
- While there was much less violence during the 2005 election than at other recent elections, the MDC cited evidence of voter intimidation, political manipulation of electoral rolls and results, and flaws in the electoral system. Election observers were invited only from friendly governments and organisations. The International Crisis Group considered that "by any objective standard, the election was neither free nor fair". ZANU-PF gained the two-thirds majority required to amend the Constitution.
- The humanitarian crisis has deteriorated sharply since May 2005 because of Operation *Murambatsvina*, a government campaign of demolition and evictions directed against 'illegal' small traders and informal housing in Harare and other urban centres. The authorities claim this was to 'restore order' in the cities, but the MDC and analysts detect political motives, as MDC support is largely. A UN Special Envoy's report estimated that some 700,000 people had lost their homes, their livelihood, or both, and a further 2.4 million were affected indirectly.
- Following the election, both main parties are facing factional splits and issues relating to leadership and future direction. Mr Mugabe does not intend to stand for re-election in 2008 and ZANU-PF is preoccupied with the succession.
- A Bill to amend the Constitution would restore the Senate, reinforce the State's right to acquire land and restrict freedom of movement. The UN and AU are seeking to promote inter-party dialogue. The longer term future for Zimbabwe remains unclear.

CONTENTS

| | | |
|------------|---|-----------|
| I | Introduction | 9 |
| II | Background to the 2005 election | 9 |
| | A. Human rights | 10 |
| | 1. The Opposition (Movement for Democratic Change) | 11 |
| | 2. The Judiciary | 13 |
| | 3. Freedom of speech, association and assembly | 14 |
| | 4. Freedom of the media | 15 |
| | 5. Powers of detention | 17 |
| | 6. NGOs and charities | 17 |
| | B. Land reform | 18 |
| | C. Economic and humanitarian situation | 20 |
| | 1. Development indicators | 20 |
| | 2. Economic Indicators | 21 |
| | 3. Trade | 22 |
| | 4. Humanitarian and development assistance | 23 |
| III | The Parliamentary Election, 31 March 2005 | 26 |
| | A. The electoral environment | 27 |
| | B. Electoral arrangements | 28 |
| | C. Election results | 30 |
| | D. Election observers | 31 |
| | E. International reactions | 34 |
| IV | Operation <i>Murambatsvina</i> (“Drive out the Rubbish”) | 35 |
| | A. Demolition and mass evictions | 35 |
| | B. The humanitarian crisis | 38 |
| | C. The international response | 39 |
| | 1. UK | 39 |
| | 2. EU | 40 |

| | |
|--|----|
| 3. USA | 41 |
| 4. Australia and New Zealand | 41 |
| 5. African states | 42 |
| 6. UN: Report by the Special Envoy on Human Settlements Issues | 44 |
| V The political parties | 47 |
| A. ZANU-PF | 47 |
| B. The Movement for Democratic Change (MDC) | 49 |
| VI Future prospects | 51 |
| Appendix I – Further Reading | 54 |

I Introduction

Robert Mugabe and his ZANU-PF party have dominated the political scene in Zimbabwe since independence in April 1980. Mr Mugabe was Zimbabwe's first post-independence Prime Minister, heading a coalition government, and he became the country's first Executive President on 31 December 1987.¹ He was re-elected without serious challenge in April 1990 and March 1996. Following the abolition of the Senate, the number of seats in the House of Assembly was increased from 120 to 150, of which 120 were directly elected. In the 1990 and 1995 parliamentary elections ZANU-PF won 117 and 118 of the 120 elective seats, respectively.

The emergence of the Movement for Democratic Change (MDC) as a credible Opposition in September 1999, under the leadership of Morgan Tsvangirai, was followed by defeat for the Government in a February 2000 referendum to amend the constitution. The MDC put up a strong challenge in the June 2000 parliamentary election, winning 57 of the 120 directly elected seats, compared with 62 for ZANU-PF;² but the President's role in the appointment of the remaining 30 Members of Parliament³ ensured that ZANU-PF retained control. From 2000 onwards, the Government turned increasingly to intimidation and violence to maintain political power. It also embarked on a 'fast-track' land resettlement programme to transfer white-owned commercial farms to black Zimbabweans, often through violent land invasions by the so-called "war veterans"⁴ and other supporters.

In the March 2002 presidential election Mr Mugabe was re-elected with 56.2% of the vote, compared with 42% for Mr Tsvangirai; but independent observers found that election to be neither free nor fair, and it was preceded and followed by a government-sanctioned campaign of violence.

II Background to the 2005 election

The parliamentary election held in Zimbabwe on 31 March 2005 took place against a background of several years of human rights violations, political repression and growing economic hardship, inflicted on the country's population by its own government. The International Institute for Strategic Studies (IISS) has described this period as "Four years of politically inspired actions aimed at dislodging the white commercial farming sector and disrupting the rise of a black opposition party."⁵

¹ The Rev. Canaan Banana was Zimbabwe's first President, then largely a ceremonial role.

² One seat was won by ZANU-N (ZANU-Ndonga), a breakaway faction of the original ZANU, formed in 1977.

³ 12 Members are nominated by the President; 10 seats are filled by traditional chiefs, chosen by their peers; and the remaining 8 are occupied by provincial governors, appointed by the President.

⁴ In early 2000 the pro-Mugabe War Veterans Association organised a march on white-owned farmlands. Many of those involved in this and subsequent farm invasions were not war veterans, as they were too young to have fought in the civil war, but the collective description "war veterans" has continued to be used.

⁵ IISS, "Zimbabwe: Mugabe's impunity", *Strategic Survey* 2004-05

A. Human rights

Several reports have documented continuing human rights violations in Zimbabwe, directed in particular against the political opposition, in the period leading up to the 2005 election.

The US State Department summarised the situation during 2004 in its latest annual report on human rights in Zimbabwe:

The Government's human rights record remained very poor, and it continued to commit numerous, serious abuses. President Mugabe and his ZANU PF party used intimidation and violence to maintain political power. A systematic, government sanctioned campaign of violence targeting supporters and perceived supporters of the opposition continued during the year. Security forces committed at least one extrajudicial killing. Ruling party supporters, with material support from the Government, continued their occupation of commercial farms, and in some cases killed, abducted, tortured, intimidated, raped, or threatened farm occupants. Security forces, government-sanctioned youth militias, and ruling party supporters tortured, raped, and otherwise abused persons perceived to be associated with the opposition; some persons died from their injuries. Prison conditions remained harsh and life threatening. Official impunity for ruling party supporters who committed abuses was a problem. Arbitrary arrest and detention remained problems, and lengthy pretrial detention emerged as a problem. Infringements on citizens' privacy continued. The Government continued its far reaching "fast track" resettlement program under which most large scale commercial farms were designated for seizure without fair compensation.

The Government continued to restrict freedom of speech and of the press, academic freedom, freedom of assembly, and the right of association for political organizations. The Government at times restricted freedom of movement. Thousands of farm workers continued to be displaced internally due to the ongoing land resettlement policies, and the Government prevented international organizations and local nongovernmental organizations (NGOs) from assisting them on some occasions. Opposition supporters were displaced by threats of violence. During the first half of the year, there were reports that the Government's Grain Marketing Board (GMB) routinely and publicly denied handouts of maize meal to suspected MDC supporters; there were no such reports during the second half of the year. The Government attacked and arrested members of civil society and human rights NGOs and accused the NGOs of sponsoring opposition political activity.⁶

Sections 1-6 below identify some key human rights issues and examples of restrictive legislation introduced over the last few years, which are relevant in the context of the 2005 election. For comment on the human rights situation in the period immediately before the election, see section IV (A), *The electoral environment*.

⁶ US Department of State, *Country report on human rights practices - 2004*: <http://www.state.gov/g/drl/rls/hrrpt/2004/41634.htm>

1. The Opposition (Movement for Democratic Change)

On 15 October 2004 the MDC leader, Morgan Tsvangirai, was acquitted by the High Court of treason charges for allegedly plotting to assassinate President Mugabe and seize power before the 2002 presidential election. The trial had opened in February 2003, and if convicted he would have faced the death penalty. The MDC leader claimed that he had been framed by the state security services, and when the trial ended in February 2004 his lawyers accused the Government of bribing witnesses to testify. The acquittal was made on the grounds that the prosecution had failed to prove its case beyond reasonable doubt.⁷ Mr Tsvangirai still faced a second charge of treason for organising a mass anti-Government protest in June 2003, allegedly with the aim of removing the President from office. However, the State withdrew this charge on 2 August 2005.⁸ Some commentators saw this as an indication that the Government no longer regarded the MDC as a threat.

In March 2004 a survey of 50 of the MDC's 59 MPs and 28 of its parliamentary candidates, commissioned by the Zimbabwe Institute (an NGO based in South Africa), found that all of those involved in the survey claimed to have experienced human rights abuses in the previous four years at the hands of the security services and supporters of ZANU-PF. More than 90% of the MPs reported violations against themselves, while over 60% reported attacks on their immediate family or staff, in four instances resulting in death. 50% had their property vandalised or destroyed, including homes, businesses and motor vehicles. Half of the incidents reported were attributed by MPs to the police, the army and the Central Intelligence Organisation (CIO), and the other half to the so-called "war veterans", the youth militia or other ZANU-PF supporters. MPs and candidates in rural areas were found to be the most vulnerable. None of the alleged perpetrators of 616 reported incidents was arrested, charged or tried.⁹

In August 2004 the Inter-Parliamentary Union (IPU) Committee on the Human Rights of Parliamentarians reported on its mission to Zimbabwe in March/April 2004 to investigate allegations of systematic harassment of the political opposition. The mission was concerned with 28 MDC MPs who had been subject to arrest and detention. The Committee found that:

allegations of politically motivated arrests, detention and prosecution were well-founded, and that MDC MPs were indeed at continuous risk of arbitrary arrest and detention. The members of the mission were appalled at the high number of beatings, other ill-treatment and torture about which MPs had complained, and which had gone unpunished. However, they also noted that Parliament was a place where the majority and the opposition worked together.¹⁰

⁷ For further details see Library Standard Note SN/IA/3117, *Zimbabwe: recent internal developments and future prospects*, 30 June 2004

⁸ *The Times*, 2 August 2005.

⁹ Zimbabwe Institute, *Playing with fire*, March 2004, <http://www.mdczimbabwe.org/Violence/violence.htm>

¹⁰ IPU press release, 1 October 2004, <http://www.ipu.org/press-e/111ass4.htm>

In its report on human rights in Zimbabwe during 2004, the US State Department noted that, according to human rights NGOs in Zimbabwe, more than 115 MDC supporters were displaced internally during 2004, but the number of unreported cases was likely to be higher.¹¹

a. Imprisonment of Roy Bennett

In May 2004 one of the MDC's three white MPs, Roy Bennett, was involved in a fracas with the Justice Minister, Patrick Chinamasa, during heated exchanges in a parliamentary debate on land seizures. The Government had appropriated Mr Bennett's farm, following an extended period of intimidation and harassment by the military, the police, so-called "war veterans" and other ZANU-PF supporters, in violation of court orders. During the debate Mr Chinamasa described Mr Bennett's ancestors as "thieves and murderers", and a scuffle ensued during which the MP pushed the Minister to the floor. This event prompted government-orchestrated demonstrations in Harare, culminating in an attack on the MDC headquarters without intervention by the police.¹²

A parliamentary committee investigated the incident, found Mr Bennett guilty of contempt of Parliament and recommended a one-year prison sentence with hard labour. In October 2004 Parliament approved the committee's recommendation by 53 votes to 42.¹³ The decision was criticised by lawyers and human rights groups, who argued that the penalty for such an offence in a normal criminal court would have been a small fine. However, the sentence was upheld by Zimbabwe's High Court in March 2005.

In the March 2005 election the MDC nominated Mr Bennett's wife, Heather, to replace him as a candidate in the Chimanimani district in Zimbabwe's Eastern Highlands, where he was elected in 2000. However, the Electoral Court upheld an appeal from Mr Bennett, in which he argued that his imprisonment should not prevent him from contesting the election. The Court ruled that he was eligible to stand, and there were to be fresh nominations of candidates for a postponed election in that seat a month after the general election.¹⁴ Ultimately, however, the Electoral Commission appealed to the Supreme Court against the Electoral Court's decision, which was overturned, so Mr Bennett was not permitted to be a candidate. His wife stood instead, but was defeated by the ZANU-PF candidate, in spite of reportedly strong MDC support during the campaign. Mrs Bennett drew attention to a discrepancy of over 3,000 votes between the announcement of votes cast and the final result.¹⁵

On 27 April 2005 the organisation Zimbabwe Lawyers for Human Rights submitted a complaint to the African Commission on Human and Peoples Rights, in which it called for

¹¹ US Department of State, *Country report on human rights practices - 2004*: <http://www.state.gov/g/drl/rls/hrrpt/2004/41634.htm>

¹² International Crisis Group (ICG), *CrisisWatch*, 06/2004

¹³ BBC News, 28 October 2004. Under Zimbabwean law Parliament can fine, expel or imprison MPs for misbehaviour in Parliament.

¹⁴ Reuters, 15 March 2005

¹⁵ Free Roy Bennett Campaign website, 1 April 2005, <http://freeroybennett.blogspot.com/2005/04/shock-at-results-of-parliamentary.html>

Mr Bennett's immediate release from prison, and also for his invaded properties to be vacated, equipment to be returned and compensation to be paid for his losses. They complained that he was "incarcerated in appalling conditions of overcrowding, inadequate food and sanitary facilities in a location where it was difficult for his lawyers and family to visit."¹⁶

A Foreign Office Written Answer on 6 June 2005 stated:

The recent report of Zimbabwe Lawyers for Human Rights provides graphic testimony about his [Mr Bennett's] detention conditions. While we do not condone the actions for which Roy Bennett was charged, we believe that the sentence he received was wholly disproportionate to his offence. The Zimbabwean Attorney-General admitted this in two concessions submitted in court last week. He added that Parliament was not properly constituted as a court of law when it heard Roy Bennett's case. We condemn the fact that the Government's Chief Legal Officer withdrew the two concessions as a result of political pressure.

The case of Roy Bennett is only part of a broader pattern of human rights abuses in Zimbabwe, and the growing abuse of the legal system. We will continue to work for the restoration of human rights and the rule of law in Zimbabwe and to discuss our concerns with African and other international partners.¹⁷

On 28 June 2005 Roy Bennett was released after serving eight months of his sentence.¹⁸ On his release, he commented: "The inhumanity with which the prisoners are treated and their total lack of recourse to any representation or justice, combined with the filth and stench of daily life, is something I will never forget and I will not rest until their conditions are improved."¹⁹

2. The Judiciary

Zimbabwe's Constitution provides for an independent judiciary, but in practice many judges have been put under intense pressure to conform to government policies, and the Government has repeatedly refused to abide by judicial decisions with which it did not agree.²⁰ The US State Department's report on human rights in Zimbabwe in 2004 commented:

Unlike in previous years, there were no reports that the Government arrested judges or coerced them to resign. However, magistrates, who are part of the civil service rather than the judiciary, heard the vast majority of cases and continued to come under intense political pressure after some of their decisions were interpreted as running counter to government interests.²¹

¹⁶ http://www.kubatana.net/html/archive/hr/050427zlh.asp?orgcode=zim007&range_start=1

¹⁷ HC Deb 6 June 2005, cc387-8W

¹⁸ It is standard prison procedure to commute a third of any sentence for good behaviour. (Free Roy Bennett Campaign website)

¹⁹ Free Roy Bennett Campaign website, 28 June 2005, <http://www.freeroybennett.com/>

²⁰ US Department of State, *Country report on human rights practices - 2004*: <http://www.state.gov/g/drl/rls/hrrpt/2004/41634.htm>.

²¹ *ibid.*

In December 2004 a report on *The state of justice in Zimbabwe*²² was submitted to the International Council of Advocates and Barristers by leaders of the Bars in the UK, the Republic of Ireland, Australia, New Zealand, South Africa and Hong Kong. The report was based on a visit to Zimbabwe in April 2004 and on the use of extensive published material. The report found that:

- Supreme Court and High Court judges who are reputedly sympathetic to the Government have been appointed and promoted above more senior and experienced colleagues. Some judges have been allocated land at nominal rents and at the Government's pleasure;
- judges whose independence represents an impediment to Government policy or action have been removed through a combination of psychological and physical intimidation and threats of violence;
- cases involving sensitive political issues are allocated to judges who are perceived as being sympathetic to the Government;
- magistrates and prosecutors who are seen as unsympathetic to the Government have faced actual violence and attacks on their families and property;
- lawyers representing politically unpopular causes have suffered psychological and physical intimidation and violence, and in some cases torture and attacks on their families and property.

The report concluded that the legal system in Zimbabwe had become "profoundly compromised" over the past four years, and had been "distorted and subverted for the illegitimate maintenance of political power". It also noted that, while many in the Zimbabwe legal system had been driven out by pressure of various kinds, some of those still working within the system "display courage and integrity of the highest order, in their efforts to act properly as judges, magistrates or lawyers".

3. Freedom of speech, association and assembly

The *Public Order and Security Act* (POSA) was enacted in January 2002, in advance of the presidential election. It introduced a range of criminal offences, including criticism of the person or office of the President (up to one year's imprisonment); publication of a false statement that prejudices/is intended to prejudice the country's defence or economic interests, or which undermines/is intended to undermine public confidence in a law enforcement agency (up to 5 years imprisonment); and the holding of a public gathering without giving the police four days' notice. The Act also gives the police extensive powers to regulate and control any public gatherings, including banning or breaking up meetings that are deemed to endanger public order.²³

²² Link to the Report from:

<http://www.barcouncil.org.uk/document.asp?documentid=2926&languageid=1&searchby=title&keyword=zimbabwe+&month=1&year=1998>

²³ Human Rights Watch, *Not a level playing field: Zimbabwe's parliamentary elections in 2005*, 21 March 2005, <http://hrw.org/backgrounder/africa/zimbabwe0305/index.htm>

Human Rights Watch commented:

Since 2002, laws such as POSA and the Miscellaneous Offences Act (MOA)²⁴ have been consistently used by the Mugabe government to deny access to the opposition and civil society activists to freely assemble, and associate, and express political opinions (or even apolitical statements and activities). For instance, Zimbabwe Lawyers for Human Rights reported that, in 2004, 950 human rights defenders were arrested under POSA and MOA.²⁵

4. Freedom of the media

Under the *Access to Information and Protection of Privacy Act (AIPPA)*, which was passed in the run-up to the March 2002 presidential election, all news organisations and journalists were required to apply to the government-appointed Media and Information Commission (MIC) for licences to operate. Large numbers of Zimbabwean journalists were refused registration and were thus unable to work legally, while many others lost their jobs because of enforced newspaper closures (see under 4(b) below). Foreign correspondents were banned from living in Zimbabwe and could visit the country only for limited periods, subject to accreditation. In February 2002 the UN Special Rapporteur on the right to freedom of opinion and expression stated in a communication to the Zimbabwe Government that the provisions of the Act infringed the right to freedom of opinion and expression as guaranteed in Article 19 of the Universal Declaration of Human Rights.²⁶

In January 2005 Parliament passed an amendment to AIPPA. This provided for a sentence of up to two years in prison or a fine for any journalist who tried to work without accreditation from the MIC, thus reinforcing the Commission's power over journalists and the news media. Foreign correspondents were frequently denied visas during 2004, and by February 2005 most of the remaining foreign media had been expelled from Zimbabwe in advance of the March election.

According to the Media and Monitoring Project of Zimbabwe (MMPZ), up to 400 journalists were reported to have been arrested under POSA in 2004, and more than one hundred journalists have reportedly been arrested under AIPPA in the past two years.²⁷

New legislation, which received the President's assent on 2 June 2005, will introduce harsher penalties for the publication or communication of falsehoods deemed prejudicial to the State than those provided for under POSA and AIPPA. The *Criminal Law (Codification and Reform) Act* provides for a maximum period of 20 years imprisonment

²⁴ Enacted in 1964, under colonial rule, MOA provides for the punishment of a broad range of offences including penalties for riotous or indecent conduct or threats in a public place.

²⁵ Human Rights Watch, *Not a Level Playing Field: Zimbabwe's parliamentary elections in 2005*, 21 March 2005, <http://hrw.org/backgrounder/africa/zimbabwe0305/index.htm>, p26

²⁶ UN News Service, 4 February 2002

²⁷ Cited in: Human Rights Watch in *Not a Level Playing Field: Zimbabwe's parliamentary elections in 2005*, 21 March 2005, <http://hrw.org/backgrounder/africa/zimbabwe0305/index.htm>

and/or much higher fines than before (up to Z\$2.5 million) for offences similar to those in POSA and AIPPA.²⁸

Specific cases

Zimbabwe's only independent daily newspaper, the *Daily News*, was closed down by the MIC in September 2003, after the Supreme Court ruled that it was publishing illegally because it had not registered with the Commission. When the MIC refused to register the paper, the courts ruled on several occasions that it should be allowed to publish. It went to press briefly on more than one occasion, whereupon the police intervened. In January 2004 a High Court judge ordered the police to stop interfering with its publication; but publication ceased on 6 February 2004, when the Supreme Court upheld the provisions of AIPPA, stating that it was a crime to publish a newspaper or work as a journalist without a licence. The *Daily News* had been Zimbabwe's most popular newspaper, with a readership of one million, and it was the only daily paper that gave a voice to the Opposition and civic society. It continued to publish an on-line edition from South Africa.

In September 2004 charges previously made against directors of the *Daily News* were dropped for lack of evidence, and on 14 March 2005 the Supreme Court ruled that the MIC should reconsider its decision to refuse registration. Commentators suggested that this decision, two weeks before the election and as election observers were arriving in the country, was an attempt to stave off criticism that the Government had not complied with the guidelines for democratic elections adopted in August 2004 by the Southern African Development Community (SADC) – see section III below.

On 18 July 2005 the MIC refused to grant Associated Newspapers of Zimbabwe (ANZ) an operating licence to resume publication of the *Daily News* and its sister paper, the *Daily News on Sunday*. The MIC is reported to have accused ANZ of failing to register the paper, employing unaccredited journalists and not depositing copies of the paper with the Commission. The MIC also refused to allow the independent weekly, *The Tribune*, to resume publishing.²⁹ In June 2004 publication of *The Tribune*, which had a reputation for condemning human rights abuses and government corruption, was suspended for alleged violations of AIPPA.

A new independent publication, the *Weekly Times*, was launched in Bulawayo on 2 January 2005, but the MIC warned that it risked closure for allegedly misleading the Commission on its editorial policy, and publication was suspended on 25 February 2005 for violating AIPPA.

²⁸ Media Institute of Southern Africa, MISA-Zimbabwe press release, in *Legalbrief Africa*, 26 June 2005, <http://www.legalbrief.co.za/article.php?story=20050626172629276>

²⁹ International Press Institute press release, 22 July 2005, http://www.freemedia.at/Protests2005/pr_Zimbabwe22.07.05.htm

5. Powers of detention

In February 2004 President Mugabe used the *Presidential Powers (Temporary Measures) Act* to introduce regulations amending the *Criminal Procedure and Evidence Act* (CPEA), following the arrests of a ZANU-PF MP and a member of the party's central committee on corruption charges. The amendments provided for pre-trial detention of up to 28 days, without the option of bail, for persons suspected of certain serious economic crimes (such as corruption, money-laundering and illegal dealing in foreign exchange and gold), and also for certain offences under the *Public Order and Security Act*.

Lawyers and human rights activists criticised the measures as a violation of the Bill of Rights in the Constitution, and when Parliament was asked to confirm the regulations by approving the *Criminal Procedure and Evidence Amendment Bill*, its legal committee gave an adverse report. When the legislation came before the House of Assembly in June 2004, a group of ZANU-PF MPs walked out of the chamber in protest, thus delaying a vote, but the Bill was passed soon afterwards.³⁰

The MDC argued that, while the Government had tried to portray the amendments as measures to combat corruption, the main intention was to introduce "preventative and punitive detention measures", typical of a state of emergency.³¹

6. NGOs and charities

Following a four-year period of deteriorating relations with civil society organisations, including NGOs, churches, trade unions and the independent media, the Zimbabwe Government introduced the *Non-Governmental Organisations Bill* in August 2004. While such organisations regard themselves as non-partisan, the Government claims that many of them have abused Western donor funds to support the opposition MDC. The legislation was passed by Parliament in November 2004, despite an adverse report from the parliamentary legal committee that assesses the constitutionality of Bills.³² However, the President has referred the Bill back to Parliament for further discussion, for reasons that are at present unclear.

Human Rights Watch regarded the new legislation as more repressive than the *Private and Voluntary Organisations Act*, which it replaces, and Amnesty International called for its immediate repeal. It would introduce a more rigorous registration process and require NGOs to open their financial records to a government-appointed NGO council. The definition of NGOs is much wider than before, and all private voluntary organisations in Zimbabwe would be required to register with a state commission, otherwise they would be closed, have their staff arrested and their assets seized. Organisations that were not already on the social welfare ministry's voluntary register would be regarded as illegal when the new law comes into force. New provisions would apply to NGOs that are involved in "issues of governance" (defined as including "the promotion and protection of human rights and political governance issues"). Local NGOs of this kind would be

³⁰ MDC press release, 1 July 2004 on Kubatana.net

³¹ *ibid.*

³² Human Rights Watch, *Zimbabwe's Non-Governmental Organizations Bill*, 3 December 2004, <http://hrw.org/backgrounder/africa/zimbabwe/2004/12/>

prohibited from receiving external funding, and foreign NGOs involved in such work would not be registered at all.³³ *The Times* commented that this legislation would threaten the charities that support the large proportion of the Zimbabwe population affected by HIV/AIDS, and estimated that the jobs of up to 20,000 people working for charities would be at risk.³⁴

B. Land reform

The occupation of white-owned farms began after the Government was defeated in the February 2000 constitutional referendum, which was intended to empower the State to acquire land compulsorily without compensation. Since 2002 it is estimated that the Zimbabwe Government's land reform programme has dispossessed some 4,000 out of 4,500 white commercial farmers. Many white farmers have left Zimbabwe to farm in other African countries or elsewhere, and most of those remaining have entered into business agreements with black Zimbabweans, with the aim of protecting their farms.³⁵ Although the Government has issued acquisition notices for most of the remaining white-owned farms, the rate of acquisitions has been slow.³⁶ The US State Department reports information from NGOs in Zimbabwe that up to 500,000 farm workers were internally displaced at the end of 2004 as a result of ongoing land resettlement policies, and on some occasions the Government has prevented international organisations and local NGOs from assisting them.³⁷

In January 2004 the Zimbabwe Parliament amended the land acquisition law to speed up the programme of land seizures, but the following month the Government suspended the acquisition of farms, claiming that it wanted to 'clean up' the process.³⁸ In mid-2004 there was again uncertainty over the future direction of land reform. In an interview with the state-owned newspaper, *The Herald*, on 8 June 2004, John Nkomo, the then Minister with responsibility for Land Reform and Resettlement, said that the Government intended to nationalise "all productive farmland" in Zimbabwe. He announced that the deeds to all productive land would be abolished and replaced by 99-year leases issued by the state, and the Government would also issue 25-year leases for wildlife and conservation areas. Mr Nkomo's statement was contradicted shortly afterwards, however, by Jonathan Moyo, the then Minister of State for Information, who said that nationalisation would apply only to plots of land acquired by the Government under its 'fast-track' land reform programme.

In its report on developments in Zimbabwe during 2004, Amnesty International reported that, in the last four months of the year, the police and army had forcibly evicted thousands of people from farms where they had settled between 2000 and 2002:

Homes and belongings were destroyed and families left destitute. Human rights lawyers subsequently obtained court orders which allowed people to return to the

³³ *Africa Research Bulletin*, August 2004

³⁴ *The Times*, 18 November 2004

³⁵ US Department of State, *Country report on human rights practices - 2004*:
<http://www.state.gov/g/drl/rls/hrrpt/2004/41634.htm>

³⁶ *ibid.*

³⁷ *ibid.*

³⁸ International Crisis Group, *Crisiswatch*, 1 February & 1 March 2004

farms, but some families reported that government officials and state agents continued to harass them and threaten them with removal.³⁹

On 2 March 2005 President Mugabe admitted that most of the farms transferred to black ownership had never been used, and that millions of acres of prime agricultural land were lying empty and idle. The President expressed disappointment that only 44% of the land distributed was being fully used, and warned farmers that the Government would not hesitate to redistribute land that was not being utilised. The new farmers are unable to raise bank loans, because their properties are owned formally by the Government and they have no individual title deeds. Without loans, they are unable to buy seed, fertiliser or farming equipment, and the Government is reported to have broken a pledge to supply them with tools.⁴⁰

Following the March 2005 election, the Government announced that it would compensate white commercial farmers whose land it had seized under the fast-track land programme, and that it had set compensation for 822 farms that were compulsorily acquired.⁴¹ However, as the International Crisis Group remarked: “scepticism is appropriate given the string of broken promises with regard to land. At the least, the government is unlikely to pay the \$620 million – more than the national budget- that the farmers put as the value of their assets.”⁴²

The International Institute for Strategic Studies (IISS) has commented that the land issue, which was once so critical in shaping the crisis in Zimbabwe, “has finally moved off centre stage”. It ascribed this change to the official position of the Zimbabwe Government, which declared in late 2003 that ‘fast-track’ land reform had achieved its redistributive objectives.⁴³ However, the same source drew attention to the failure of the land reform programme in practice:

In the absence of vital agricultural and financial inputs, as well as provisions for training or extension services, the wholesale expropriation of commercial farming property through the ‘fast-track’ land reform has been an unmitigated disaster. The drift back to urban areas by putative ‘war veterans’, leaving in their wake unplanted fields and ruined infrastructure, represents the dysfunctional communalisation of a once-productive sector of the economy. Even those farms that found their way into the hands of the Zanu-PF elite, and are maintaining a semblance of normal commercial practice, are suffering from the dilatory effects of inflation, transport costs, difficulties with credit and the limits imposed by deteriorating infrastructure.⁴⁴

³⁹ Amnesty International, *Zimbabwe, events from January-December 2004*, <http://web.amnesty.org/report2005/zwe-summary-eng>

⁴⁰ *Daily Telegraph*, 3 March 2005

⁴¹ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?id=3499&CFID=1057159&CFTOKEN=13025501>

⁴² *ibid.*

⁴³ IISS, “Zimbabwe: Mugabe’s impunity”, *Strategic Survey 2004/5*

⁴⁴ *ibid.*

The Institute also noted that:

The removal of land from the public eye ... is problematic for the regime in a number of ways. The emotive power that land reform brought to previous election campaigns is no longer available, and without it the government will have to face a population whose perspective on domestic politics has been formed mainly by the negative impact of government policies on their daily lives.⁴⁵

Land issues may soon come to the fore again, since recently proposed amendments to the Constitution include a provision that would bar landowners from appealing to the courts against seizure of their land by the State. A representative of the Commercial Farmers Union (CFU) has commented that this would undermine property rights and the rule of law, and the outcome would be that all land in Zimbabwe would, in effect, become State land.⁴⁶

C. Economic and humanitarian situation

Zimbabwe has experienced a severe economic downturn since 1999. The Director of the World Bank's operations in Zimbabwe has described the situation as unprecedented for a country not at war.⁴⁷ Unemployment is estimated at 70% or higher, inflation is well over 100%, life expectancy at birth has fallen to 33 years and the country is threatened with ejection from the International Monetary Fund (IMF) for non-payment of debts. This short section looks at Zimbabwe's economic problems and trading links.

1. Development indicators

According to the latest UN Development Programme *Human Development Report*, Zimbabwe is the 147th least developed country in the world (of 177 countries).⁴⁸ Zimbabwe is now ranked as a country with "low human development".⁴⁹ This was not always the case; in 1985 it was ranked 70th (of 120 countries) and was the third most-developed in Africa, but had become the 20th most-developed in 2002. Since 2002, the deterioration of the economic situation may have further reduced its relative position.

In terms of income per capita, Zimbabwe's position relative to other countries in sub-Saharan Africa has fallen. Gross National Income (GNI) per capita in Zimbabwe in 2001 was estimated at \$480, 163rd highest in the world and just below the sub-Saharan Africa average of \$500.⁵⁰ In 1993, the Zimbabwe figure was \$650, 16% above the average. In

⁴⁵ IISS, "Zimbabwe: Mugabe's impunity", *Strategic Survey 2004/5*

⁴⁶ ZimOnline, 5 August 2005

⁴⁷ "[Zimbabwe's economic fall unprecedented 'in peacetime'](#)", *Globe and Mail (Canada)*, 27 July 2005

⁴⁸ *Human Development Report 2004*, UNDP, 2004.

⁴⁹ A country with a score on the Human Development Index of below 0.5. Between 1975 and 2001 Zimbabwe was in the "medium human development" category.

⁵⁰ Calculated using the World Bank Atlas methodology which reduces the impacts of exchange rate fluctuations on cross-country comparisons of national income. Due to the relatively high official exchange rate in Zimbabwe, other sources publish significantly higher levels of GNI per capita, particularly for 2002.

1980, income per head in Zimbabwe was almost 50% higher than the average for sub-Saharan Africa.⁵¹

Other indicators also demonstrate the problems in Zimbabwe. Estimated life expectancy at birth for 2000-05 is 33.1 years, the 171st lowest in the world. In no other country has it fallen further in the last 30 years. Infant mortality is lower than in sub-Saharan Africa as a whole, but is increasing.⁵²

2. Economic Indicators

Real Gross Domestic Product (GDP) has fallen in Zimbabwe in each year since 1999. IMF forecasts suggest that the rate of decline is slowing (Table 1) and that GDP will fall by 1.6% in real terms this year with zero growth in 2006. However, these forecasts now seem optimistic. An IMF staff mission to Zimbabwe in June 2005 contradicted some of the economic forecasts previously published. In particular, it included forecasts that output would “fall sharply”, the budget deficit would “increase markedly” and there would be a “sharp increase in money supply, and hence inflation, by end-2005”.⁵³

Table 1

Key Economic Statistics: Zimbabwe

| | Average 1987-96 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 forecast | 2006 forecast |
|------------------------------------|--------------------|-------|-------|-------|-------|-------|--------|--------|--------|------------------|------------------|
| Real GDP growth | 3.6% | 1.4% | 0.1% | -3.6% | -7.3% | -2.7% | -6.0% | -10.0% | -4.8% | -1.6% | 0.0% |
| Annual inflation | 20.6% | 18.8% | 31.7% | 58.5% | 55.9% | 76.7% | 140.0% | 431.7% | 282.4% | 187.2% | 103.7% |
| Balance of payments (US\$ billion) | | -8.0 | -4.7 | 2.5 | 0.2 | -3.5 | -1.8 | -5.0 | -5.3 | -2.7 | -3.7 |
| Exchange rate (Z\$ to US\$) (a) | | 25 | 53 | 52 | 72 | 69 | 75 | 1,224 | 8,250 | 17,500 | |

Notes: (a) 2004 rate is at September. 2005 is official rate in July 2005

Sources: *World Economic Outlook*, IMF

Inflation has been very high, with a peak of 623% in January 2004 on official figures.⁵⁴ Again, IMF forecasts show the situation improving to some extent. The rate is forecast to fall, although projections are still above 100% for 2006. The Reserve Bank of Zimbabwe (RBZ) put the annual rate at 164% in June 2005 blaming increased fuel and food costs for increases in recent months. The latest monetary policy report from the Bank is still optimistic of a reduction in the rate to 80% by the end of the year, although interest rates have been increased to 190% in anticipation of increased inflation over the next few months.⁵⁵

There are few reliable estimates of unemployment in Zimbabwe; the *CIA World Factbook*⁵⁶ estimated the rate at 70% for 2002 and this level is usually quoted. In

⁵¹ *African Development Indicators 2004*, World Bank, Table 2-19

⁵² *Human Development Report 2004*, UNDP, 2004

⁵³ [Statement by the IMF Staff Mission in Zimbabwe](#), IMF Press Release 05/151, 27 June 2005

⁵⁴ [Monetary Policy Statement: to end June 2004](#), Reserve Bank of Zimbabwe, July 2004

⁵⁵ [Monetary Policy Statement: to end June 2005](#), Reserve Bank of Zimbabwe, July 2005

⁵⁶ Available at: <http://www.cia.gov/cia/publications/factbook/>

December 2004, the Government had claimed the rate was 9%, due to the fact that many people worked in the informal economy. In response to this, the Zimbabwe Congress of Trades Unions said:

Anyone who estimates this country's unemployment rate at less than 70% is out of touch with reality - our records show that 600,000 people had lost jobs due to various reasons between 1999 and the end of 2003.⁵⁷

The official exchange rate was adjusted to Z\$17,500 to US\$1 on 21 July 2005. This followed a previous devaluation in May 2005 to Z\$10,500.⁵⁸ The new rate is still below the black market rate, which was reported at Z\$45,000 to US\$1 at the beginning of August 2005.⁵⁹ In January 1999, the official exchange rate was just Z\$38 to \$US1.

Zimbabwe is facing possible expulsion from the IMF for arrears on its \$295 million debt. The IMF executive board decided in February 2005 to defer consideration of Zimbabwe's compulsory withdrawal for six months and is expected to discuss Zimbabwe's position in September. RBZ say that they have increased repayments six-fold over the past eighteen months to \$9 million per quarter.

One of Zimbabwe's key problems in recent years has been widespread resource shortages, particularly of fuel. Reports have talked of "3km queues for petrol" and the state airline has been forced to reduce flights because of shortages.⁶⁰ Zimbabwe has no natural oil reserves; 80% of its requirements are imported by pipeline from Mozambique.

Zimbabwe has also experienced problems with its electricity supply. In 2003 it imported around 30% of its electricity. These imports come from Mozambique, Democratic Republic of Congo (DRC) and South Africa through the Southern African Power Pool (SAPP). Zimbabwe has lost generator capacity due to the lack of spare parts and in March 2005 a transmission failure on the line from DRC led to power cuts. Contracts have been signed with Chinese companies and Iran to expand capacity.⁶¹

3. Trade

According to the *CIA World Factbook*, Zimbabwe's main exports are "cotton, tobacco, gold, ferroalloys, textiles/clothing", while its imports are "machinery and transport equipment, other manufactures, chemicals, fuels".

Table 2 shows that South Africa was by far the largest source of Zimbabwe's imports of goods in 2004 and was also the largest export market. Zimbabwe has been seeking economic assistance from South Africa and President Mbeki has suggested that South

⁵⁷ ["Plight of urban poor worsens, rural food stocks dwindle"](#), IRIN News, 21 December 2004

⁵⁸ "Zimbabwe devalues currency 39% in economic rescue package", *Financial Times*, 22 July 2005, p12

⁵⁹ ["Zimbabwe Dollar Hits New Low"](#), *The Guardian*, 2 August 2005, p13

⁶⁰ "Zimbabwe fuel and food crisis deepens: 'Nothing to eat, no petrol. Next we won't have enough air to breathe'", *The Guardian*, 6 May 2005, p5

⁶¹ ["Southern African Development Community Country Analysis Brief"](#), Energy Information Administration, July 2005

Africa may take on some of Zimbabwe's debt to the IMF. There have also been talks between officials of the two governments concerning financial aid.⁶²

China has become an important trading partner for Zimbabwe. It had the third highest levels of both imports and exports of goods in 2004. President Mugabe is quoted as saying that China will soon become Zimbabwe's largest source of foreign direct investment. During President Mugabe's visit to China, an economic co-operation agreement was signed on 26 July 2005, although few details have been made available.⁶³

Table 2

Direction of trade: Zimbabwe: 2004

| | Exports | | | Imports | |
|----------------|------------|------------|----------------|------------|------------|
| | \$ million | % of total | | \$ million | % of total |
| South Africa | 426.5 | 11.6% | South Africa | 922.9 | 43.5% |
| Zambia | 236.9 | 6.4% | DR Congo | 157.6 | 7.4% |
| China | 128.0 | 3.5% | China | 90.9 | 4.3% |
| Japan | 112.4 | 3.0% | Mozambique | 65.2 | 3.1% |
| Germany | 112.1 | 3.0% | Germany | 61.2 | 2.9% |
| Italy | 99.6 | 2.7% | Botswana | 55.0 | 2.6% |
| Netherlands | 90.0 | 2.4% | United Kingdom | 48.5 | 2.3% |
| United States | 73.2 | 2.0% | United States | 47.3 | 2.2% |
| United Kingdom | 66.4 | 1.8% | India | 28.3 | 1.3% |
| Total | 3,687.6 | 100.0% | | 2,119.5 | 100.0% |

Source: *Direction of Trade Statistics Quarterly*, IMF

4. Humanitarian and development assistance

a. UK Government

In line with most other donors, the Department for International Development (DFID) suspended its bilateral (government-to-government) assistance programme to Zimbabwe in late 2001 "because of the poor policies of the Government and their unwillingness to engage constructively with the international community on crucial issues of political and economic governance."⁶⁴ Since the suspension of bilateral aid, DFID has channelled resources through the agencies of the UN and through civil society organisations. Aid has been mainly for humanitarian purposes rather than long-term development projects. It has been one of the major donors supporting the "Consolidated Humanitarian Action Plan", implemented and coordinated by the UN. Table 3 shows DFID's programme expenditure in Zimbabwe since 2000/01.

⁶² "Mbeki opts for quiet diplomacy in dealings with Zimbabwe", *Financial Times*, 26 July 2005, p8; "S Africa confirms Harare aid talks", *Financial Times*, 19 July 2005, p12

⁶³ "Mugabe finds succour in Beijing deals", *The Guardian*, 27 July 2005, p13

⁶⁴ [HC Deb 7 April 2005 c1564W](#)

Table 3

DFID programme expenditure in Zimbabwe: 2000/01-2007/08

| | £ million |
|---------|-----------|
| 2000/01 | 10.6 |
| 2001/02 | 14.7 |
| 2002/03 | 30.8 |
| 2003/04 | 33.1 |
| 2004/05 | 27.5 |
| 2005/06 | 30.0 |
| 2006/07 | 30.0 |
| 2007/08 | 40.0 |

Source: DFID Departmental Report 2005, Cm 6534, Annex A, Table 4

Three-quarters of DFID's assistance has been humanitarian, with the balance allocated to HIV/AIDS programmes.⁶⁵ DFID's humanitarian assistance is provided mainly through the UN and the International Organisation for Migration (IOM). For example, following the Government of Zimbabwe's recent programme of demolition and mass evictions, DFID supported the UN's establishment of a multi-agency team to provide emergency humanitarian assistance to the estimated hundreds of thousands of Zimbabweans left homeless.⁶⁶ DFID asserts that its support to relief programmes in Zimbabwe reaches "more than 1.5m of the poorest people who remain vulnerable after the humanitarian crisis of the last three years."⁶⁷

For more information on "Operation *Murambatsvina*", the programme of demolition and mass evictions that began in May 2005, see section IV C below.

b. Other donors

Poor relationships between the Zimbabwean Government and donors have hampered development and humanitarian activities in Zimbabwe.⁶⁸ Some donors have responded to the political situation in Zimbabwe by withdrawing their programmes altogether. Germany and Denmark withdrew following the March 2002 presidential elections. Other donors, in response to the Zimbabwean Government's non-repayment of arrears and lack of cooperation in policy implementation, have frozen their development assistance programmes. The IMF and World Bank have suspended their programmes in

⁶⁵ DFID told the International Development Committee that it "is not providing funds for longer-term development programmes at this time." International Development Committee, *Department for International Development: Departmental Report 2004*, HC 749 2003-04, [paras 29-30](#) and [we5 Q12](#)

⁶⁶ [HC Deb 8 June 2005 c594W](#)

⁶⁷ DFID Zimbabwe webpage at: <http://www.dfid.gov.uk/countries/africa/zimbabwe.asp> [on 27 July 2005]

⁶⁸ International Development Committee, *The Humanitarian crisis in Southern Africa*, HC 116-I 2002-03

Zimbabwe,⁶⁹ although the World Bank is exploring how it might re-engage in Zimbabwe through its “Low-Income Countries Under Stress” (LICUS) programme.⁷⁰

Others donors have continued to work in Zimbabwe but have changed their areas of focus and methods of working. In terms of focus, this has meant concentrating on humanitarian aid and working on social issues, particularly HIV/AIDS, social protection and human rights. In terms of methods, donors have moved from support to the Zimbabwean Government to the provision of assistance through NGOs and the UN. Of 15 major bilateral donors currently providing humanitarian assistance in Zimbabwe, all but one has stopped providing government-to-government assistance.⁷¹ According to the World Bank, increased donor support to Zimbabwe is likely to be contingent upon progress in orderly land reform, macroeconomic stabilisation and the repayment of arrears.⁷²

c. Food aid

Throughout 2004, the Zimbabwean Government denied that there were food shortages in the country, despite external assessments that 3.3 million people were unable to access the food they required.⁷³ In April 2004 the World Food Programme (WFP) provided food to 4.5 million people in Zimbabwe.⁷⁴ A UN food assessment team was expelled from Zimbabwe in early May 2004, and the Agriculture Minister claimed that maize production was set to double to over 2.5 million tonnes. President Mugabe refused offers of international aid, saying:

Why foist this food upon us? We don't want to be choked. We have enough.⁷⁵

Another UN food assessment team was expelled in January 2005, and President Mugabe ordered the WFP to cut its food distribution by 80%.⁷⁶ He also accused aid agencies of working against his government.

It was not until 17 March 2005 that an acute shortage of maize forced President Mugabe to acknowledge the food shortage in Zimbabwe. The Zimbabwean Government now acknowledges that nearly three million of its citizens will require food aid. The WFP has made a preliminary estimate of 2.9 million people requiring food aid in the next year, although as a contingency it plans to assist up to four million people.⁷⁷

⁶⁹ The World Bank placed Zimbabwe on non-accrual status in October 2000; loans are no longer being disbursed and their resumption is contingent on clearance of arrears. The IMF Board suspended Zimbabwe's voting rights on June 6 2003.

⁷⁰ [USAID: Congress Budget Justification – FY 2005: Zimbabwe](#)

⁷¹ *ibid.*

⁷² [Zimbabwe Country Brief](#), World Bank (at <http://www.worldbank.org>)

⁷³ Zimbabwe Vulnerability Assessment Committee cited in [Post-Election Zimbabwe: What next?](#), International Crisis Group, Africa Report No.93, 7 June 2005, p7

⁷⁴ Economist Intelligence Unit: Business Africa, “Country Watchlist: Zimbabwe”, 16 January 2005

⁷⁵ Sky News interview with President Mugabe, 24 May 2004 cited in EIU report

⁷⁶ “[Mugabe allows UN to increase food aid](#)”, *The Guardian*, 2 June 2005, p18

⁷⁷ *Southern Africa Faces Severe Food Shortages: Millions Of People Need Urgent Humanitarian Aid*, World Food Programme, 7 July 2005

In early June 2005, James Morris, head of the WFP, held talks with President Mugabe about the escalating food crisis. President Mugabe agreed to allow the WFP to increase its food aid to Zimbabwe under closely controlled conditions, but stopped short of formally requesting the aid. Reflecting concerns about Mugabe's use of food distribution as a political weapon, Mr Morris stressed that the WFP would itself be responsible for the distribution of the food aid it provided.⁷⁸ The WFP will not distribute food directly to the general population but rather through school feeding programmes, home-based AIDS care and food for work schemes.⁷⁹

III The Parliamentary Election, 31 March 2005

Parliamentary elections are held every five years. It had been known for some time that the 2005 election would take place in March, and the date was announced on 31 January 2005.

Zimbabwe's unicameral Parliament, the House of Assembly, has 150 members. 120 are elected by popular vote in single member constituencies under a first-past-the post system. The voting age is 18. Both ZANU-PF and the MDC contested all of these seats in 2005.⁸⁰ The remaining 30 members are chosen indirectly: 12 are nominated by the President; 10 seats are awarded to traditional chiefs chosen by their peers (but allegedly with presidential influence); and eight are occupied by provincial governors, who are appointed by the President. This means that the ruling party starts with a significant advantage.

At the June 2000 parliamentary election ZANU-PF won 62 seats and by the end of the Parliament it held 68, following by-election victories. The MDC won 57 seats in 2000 and held 51 after by-elections.⁸¹ ZANU-N (ZANU-Ndonga, a breakaway faction of the original ZANU, formed in 1977) had one seat in the House of Assembly. Despite the good election result for the MDC, the President's control of the indirectly elected seats ensured that power remained firmly in the hands of ZANU-PF.

In August 2004 the MDC announced that it would suspend participation in all elections unless the Government enforced the *Principles and guidelines governing democratic elections* (also known as the Mauritius protocols) adopted that month by Heads of State and Government of the Southern African Development Community (SADC) at their summit in Mauritius.⁸² As a member of SADC, Zimbabwe was a signatory of the Principles, and thus obliged to implement the standards. The Principles include:

- full participation of citizens in the political process;
- freedom of association;

⁷⁸ "UN envoy arrives in Zimbabwe to assess humanitarian crisis", *Voice of America news*, 1 June 2005

⁷⁹ "Mugabe allows UN to increase food aid", *The Guardian*, 2 June 2005, p18

⁸⁰ BBC Monitoring, *Guide to Zimbabwe parliamentary elections on 31 March 2005*

⁸¹ *The Times*, 31 March 2005

⁸² Full text at <http://www.sadcm Mauritius.mu/sadc2004/prin.htm>

- political tolerance;
- equal opportunity for all political parties to access the state media;
- independence of the judiciary;
- independence of the media; impartiality of the electoral institutions;
- voter education.⁸³

The MDC withdrew from Harare City Council, calling for “complete reform of the electoral framework, an end to political violence and the repeal of oppressive legislation.”⁸⁴ In September 2004 the MDC stated that Zimbabwe was in breach of the SADC protocols, and it also claimed bias in the constituency re-districting commission, which it said would justify an MDC boycott of the election. However, following the announcement of the election date in January 2005, this threat was withdrawn and the MDC said it would participate in the election “under protest”.⁸⁵

A. The electoral environment

Commentators agree that there was much less evidence of violence during the 2005 election campaign than in the run-up to the June 2000 parliamentary election and the presidential election in March 2002. However, opposition leaders and human rights groups claimed that there was still a high level of intimidation, and that the legacy of past political violence would affect the election result.

A report by Human Rights Watch (HRW), released on 21 March 2005 and based on research in Zimbabwe in December 2004 and February 2005, made the following assessment:

The government of Zimbabwe has greatly limited the space for the opposition to campaign. It has restricted the rights to freedom of expression, association and assembly in many parts of the country. Opposition party members and ordinary citizens have been intimidated by ruling party supporters and officials, war veterans, and youth militia. The government has, thus, substantially infringed the right of Zimbabweans to freely form and express their political opinions and electoral judgments. In short, due to this climate of intimidation and repression, the playing field for the 2005 election has not been level.⁸⁶

Human Rights Watch also found that, while the Government had made some effort towards ensuring that the elections would be peaceful, it had not adequately met the benchmarks set by the SADC Principles.⁸⁷ Its report emphasised that SADC and other

⁸³ Summary in Human Rights Watch, *Not a level playing field: Zimbabwe's parliamentary elections in 2005*, HRW Briefing Paper, 21 March 2005, <http://hrw.org/backgrounder/africa/zimbabwe0305/>

⁸⁴ MDC spokesperson, quoted in *Africa Research Bulletin*, August 2004

⁸⁵ ICG *CrisisWatch*, 03/2005

⁸⁶ Human Rights Watch, *Not a level playing field: Zimbabwe's 2005 Parliamentary Elections, Summary*, http://hrw.org/backgrounder/africa/zimbabwe0305/1.htm#_Toc98671548

⁸⁷ <http://www.sadcmauritius.mu/sadc2004/prin.htm>

observers must take into account “the effects of the past five years of violence, recent reports of intimidation, continuing electoral irregularities and the use of restrictive legislation”, when assessing whether the elections were free and fair.⁸⁸

Amnesty International reported in March that at least eight MDC candidates, including the party’s director of elections, had been detained since the beginning of 2005, while other MDC supporters had been beaten or had seen their homes destroyed.⁸⁹

In a March 2005 report the anti-torture group the Redress Trust pointed out:

...what observers arriving in Zimbabwe before the election might not see is the cumulative result of the passed [sic] five years: widespread fear, hopelessness and despondency which is likely to lead to a low turnout. This, coupled with a myriad of problems concerning the preparations for the poll, ranging from serious irregularities in voter registration to the manipulation of constituency boundaries, already casts a long shadow over the election.⁹⁰

After the election, in its June 2005 report, the International Crisis Group (ICG) reflected:

President Mugabe and ZANU-PF appear to have approached the elections with twin goals: first, to ensure they could control the results; and secondly, to do so in a way sophisticated enough that some international observers could call the exercise “clean”. They did not resort to violence as often as in the past and even tolerated a number of opposition campaign rallies and speeches but the threat of physical harm ... was never far below the surface. Much of the window dressing of a fair contest was permitted but the regime still engaged in systematic abuses.⁹¹

B. Electoral arrangements

In December 2004 the Zimbabwe Parliament approved new legislation governing the conduct of elections, amid Government claims that this constituted compliance with the SADC principles. However, the MDC stated that the new laws would not guarantee free and fair elections. The *Electoral Act* (replacing previous legislation) and the *Zimbabwe Electoral Commission Act*, which came into force on 1 February 2005, included provisions for an Electoral Court; the establishment of an ‘independent’ electoral commission; a single day of voting instead of two; the counting of votes at polling centres; and the use of translucent ballot boxes.

The Zimbabwe Electoral Commission (ZEC) was created after other countries in the region demanded an independent electoral body, in line with the SADC guidelines. The

⁸⁸ Human Rights Watch, *Not a level playing field: Zimbabwe’s 2005 Parliamentary Elections, March 2005*. Summary, http://hrw.org/backgrounder/africa/zimbabwe0305/1.htm#_Toc98671548

⁸⁹ Amnesty International, *Zimbabwe: an assessment of human rights violations in the run-up to the March 2005 parliamentary elections*, March 2005, <http://web.amnesty.org/library/print/ENGAFR460032005>

⁹⁰ The Redress Trust, *Zimbabwe: the face of torture and organised violence: torture and organised violence in the run-up to the 31 March 2005 General Parliamentary Election*, March 2005 <http://www.swradioafrica.com/Documents/ZimbabweReportMar2005.pdf>

⁹¹ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?id=3499&CFID=1057159&CFTOKEN=13025501>

ZEC was intended to oversee the conduct of the electoral process as a whole, including voter registration, the operation of polling centres, voter education and the accreditation of election observers; but the actual organisation of voting would be the responsibility of the Electoral Supervisory Commission (ESC), which has existed since independence in 1980 and is enshrined in the Constitution.⁹² The five-member ZEC is headed by a High Court judge, Justice George Chiweshe, who is a former army general and a known Mugabe loyalist. Its members were recommended by a parliamentary committee appointed by the President and dominated by senior ZANU-PF figures.⁹³ The MDC and other commentators have questioned its independence.

The new *Electoral Act* clarified some of the functions of the Electoral Supervisory Commission and the Registrar-General; set the procedures for the registration of voters; created an Electoral Court to deal with disputes; and detailed some aspects of the conduct of elections. Like its predecessor, it required citizens to be resident in a particular constituency in order to vote, thus preventing expatriate Zimbabweans from voting. Absentee voting was permitted only for diplomats and members of the armed forces.

In January 2005, seven Zimbabweans in exile, representing the UK-based Diaspora Vote Action Group, brought an urgent application to Zimbabwe's Supreme Court, requesting that it order the Government to enable them to vote by postal ballot in the March election and at subsequent elections. On 17 March the Supreme Court ruled that Zimbabweans living outside the country (estimated to number some 3.4 million, mainly adults,⁹⁴ and believed to be mostly sympathetic to the MDC)⁹⁵ would not be permitted to vote. According to Human Rights Watch, this decision represented the effective disenfranchisement of a substantial voter population, roughly equivalent to the number of adults living in Zimbabwe.⁹⁶

Another constitutional body, the Delimitation Commission, is responsible for determining constituency boundaries. Under the Constitution this is an independent body, but in fact its members are appointed by the President and report to him. The Commission's re-drawing of boundaries in December 2004 reportedly increased seats in ZANU-PF strongholds, with a corresponding reduction in areas where the MDC enjoyed majority support.⁹⁷

According to statisticians at the University of Zimbabwe, the electoral roll of 5.8 million registered voters may have been overstated by more than a million, and opposition groups claimed that the roll included the names of up to one million dead people and more than 300,000 duplicate entries.⁹⁸

⁹² BBC Monitoring, *Guide to Zimbabwe parliamentary elections on 31 March 2005*

⁹³ David Blair, *Daily Telegraph*, 22 March 2005

⁹⁴ Human Rights Watch, *Not a level playing field: Zimbabwe's parliamentary elections in 2005*, 21 March 2005, <http://hrw.org/backgroundunder/africa/zimbabwe0305/index.htm>

⁹⁵ IPU Parline database on Zimbabwe election, http://www.ipu.org/parline-e/reports/2361_E.htm

⁹⁶ Human Rights Watch, *Not a level playing field: Zimbabwe's parliamentary elections in 2005*, 21 March 2005, <http://hrw.org/backgroundunder/africa/zimbabwe0305/index.htm>

⁹⁷ *Keesing's Record of World Events*, December 2004, p46356

⁹⁸ *The Times*, 31 March 2005

In October 2004 the Government announced that opposition parties would be allowed access to the state-owned media in the run-up to the election, but the government-controlled Zimbabwe Broadcasting Corporation (ZBC) rejected MDC radio advertisements. In February 2005 the Government issued regulations allowing all political parties access to the broadcast media for campaigning purposes, but the air time given to the ZANU-PF campaign remained very much greater than the MDC coverage,⁹⁹ and opposition parties were not given similar access to the state-controlled press.

The ICG concluded:

Throughout the campaign, the government largely maintained its grip on state-controlled print and electronic media and continued to provide propaganda and slanted coverage calibrated to undermine the opposition.¹⁰⁰

While the Zimbabwe Government accredited more than 200 foreign journalists to cover the parliamentary election (including CNN, Sky News, ITN, *The Times and Le Monde*), it denied entry to the BBC and several other British and Australian applicants, on the grounds that they had been 'stridently critical'.¹⁰¹ It also jammed radio broadcasts into Zimbabwe by S.W. Radio Africa, an independent station operating from London, thus closing one of the last sources of independent information.¹⁰²

The Inter-Parliamentary Union reports that the election campaign was dominated by the issues of the Government's land reform programme and the state of the economy. President Mugabe campaigned on an anti-colonial, "anti-Blair" ticket, alleging that the MDC was a puppet of Western interests. The MDC leader, Morgan Tsvangirai, argued that his party would carry out land reform in a more systematic way than ZANU-PF, in order to restore economic growth.¹⁰³

C. Election results

The election results were announced by the Electoral Commission on 3 April 2005. ZANU-PF won 78 of the 120 contested seats with 59.6% of the vote; the MDC won 41 seats (39.5% of the vote); and one seat went to an independent (the former information minister, Jonathan Moyo, who won the Tsholotsho constituency from the MDC)¹⁰⁴. Together with the 30 indirectly elected members, this result allowed ZANU-PF, with a total of 108 seats, to exceed the two-thirds majority required to amend the Constitution without regard for opposition views.

⁹⁹ For further details see the Human Rights Watch and International Crisis Group reports already cited

¹⁰⁰ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?id=3499&CFID=1057159&CFTOKEN=13025501>

¹⁰¹ *ibid.*

¹⁰² *ibid.*

¹⁰³ IPU Parline database on Zimbabwe election, http://www.ipu.org/parline-e/reports/2361_E.htm

¹⁰⁴ Mr Moyo was expelled from ZANU-PF following the December 2004 party congress (see section V (A) below)

Some 2.8 million Zimbabweans voted, out of 5.7 million registered voters, representing a turnout of 47.7%, compared with 49.3% in the 2000 parliamentary election.¹⁰⁵ Turnout was fairly high in the MDC-dominated urban areas, but was lower in the countryside.

The MDC dismissed the election as fraudulent, citing evidence of widespread voter intimidation, political manipulation of electoral rolls and results, and flaws in the electoral system. The party leader, Morgan Tsvangirai, said that the results did not reflect “the will of the people”, and the party called for fresh elections under a new constitution.¹⁰⁶ In its report on the election, entitled *Stolen*, the MDC claimed to have been cheated in at least 72 constituencies and cited 13 constituencies where there were massive discrepancies between the number of voters announced by the ZEC and the number of votes given to the parties.¹⁰⁷ The party has lodged test cases, contesting the results, with the Electoral Court.

The International Crisis Group considered that “by any objective standard, the election was neither free nor fair”, commenting:

While the means employed to capture the election were more sophisticated and less violent than in the past, the result was the same. To find otherwise, it was necessary to look past ZANU-PF’s systematic use of propaganda, violence, electoral manipulation, targeted disenfranchisement and abuse of humanitarian relief.¹⁰⁸

D. Election observers

Eligibility to observe the election was limited to certain friendly organisations and governments, and the conditions were established by the Electoral Act. Foreign observers required an invitation from either the Minister for Foreign Affairs or the Electoral Commission; and Zimbabwean observers had to be invited by the Justice Minister. The Act prescribed categories of fees for observers to enter a polling station.¹⁰⁹

Election observers were invited from a wide range of regional and international organisations, including the SADC, the African Union, the Non-Aligned Movement and the UN. ICG reported that invitations were also issued to seven liberation movements, mostly from Southern Africa, and to 32 countries (23 African, five Asian, three from the Americas and Russia).¹¹⁰ The EU, the Commonwealth and the US Government were not invited to send observers, and nor was the SADC Parliamentary Forum, which was present at the 2000 and 2002 elections and presented critical reports. The Congress of South African Trade Unions (COSATU), which has been highly critical of the Zimbabwe

¹⁰⁵ IPU Parline database, http://www.ipu.org/parline-e/reports/2361_E.htm

¹⁰⁶ BBC News, 2 April 2005

¹⁰⁷ *Africa Research Bulletin*, April 2005

¹⁰⁸ ICG, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, Link from: <http://www.crisisgroup.org/home/index.cfm?l=1&id=3499>

¹⁰⁹ *ibid.*

¹¹⁰ *ibid.*

Government, and the Electoral Institute of Southern Africa were also excluded, and COSATU representatives were barred from being part of other delegations.¹¹¹

The US Embassy in Harare was, however, able to deploy 25 teams of diplomats, accredited as election observers, around the country during the pre-election period. On the day of the election US Embassy teams observed more than 350 polling stations in 59 constituencies. Their findings were summarised as follows:

U.S. Embassy observers noted several patterns of irregularities that raised concerns about the freeness and fairness of the process. Of particular concern was a lack of transparency in the tabulation of vote counts. U.S. observers were excluded from observing counts in four polling stations. Where they were admitted, observers and officials, including party representatives and neutral domestic observers, were locked in the polling station and not permitted to communicate with anyone outside. At the same time, uniformed police were observed communicating the vote tallies via radio and telephone. In several observed instances, the presiding officer confiscated the notes of party polling agents and independent observers before letting them depart the polling station. In apparent contravention of Zimbabwean election law, results were not publicly posted before being forwarded to regional centers and at many stations were never posted at all. ZANU-PF agents and the police appeared to have improper roles in the supervision or conduct of the polling stations and in the operation of ZEC constituency tabulation centers. In several instances, Embassy observers witnessed uniformed police participating in the vote compilation instead of ZEC officials at the constituency tabulation centers.

In addition, some polling stations were located in areas that would be intimidating to some voters, such as next to police stations or within 200 meters of a ZANU-PF office. Some polling stations also appeared to be associated with the distribution of food. Finally, in many polling stations observed, the percentages of voters turned away were as high as 30%.¹¹²

Compounding concern over the foregoing irregularities is the silence of the Zimbabwe Election Commission on crucial issues. It has failed to release the voting results of any polling stations. It has failed to explain why its initial release of totals of ballots cast only included six of the country's ten provinces, nor explained why it never released results for the remaining four provinces. Moreover, it has failed to explain why discrepancies between its announced figure for ballots cast in constituencies for those six provinces differed so drastically from the subsequently released official combined vote totals for candidates in the constituencies. We echo calls by the Zimbabwe Election Support Network and other observers for the ZEC to release this information as expeditiously as possible and note the absence of this information undermines confidence in the electoral process.¹¹³

¹¹¹ Human Rights Watch, *Not a level playing field: Zimbabwe's parliamentary elections in 2005*, 21 March 2005, <http://hrw.org/backgrounder/africa/zimbabwe0305/index.htm>

¹¹² This statement was issued by the US Embassy in Harare on 6 April 2005, but is no longer on that website. The full text is available at: <http://mdcatlanta.org/news040605txt-01.htm>.

¹¹³ *ibid.*

The 10-member African Union (AU) mission, led by Chief Kwadwo Afari-Gyan from Ghana, declared the elections “technically competent and transparent” and in general commended their peaceful conduct. However, it identified some issues that required investigation, including the large number of voters turned away from polling stations and MDC allegations about the conduct of the election.¹¹⁴

A 50-member SADC observer mission, led by the South African Minister of Mineral and Energy Affairs, did not arrive in Zimbabwe until 15 March. It congratulated the people of Zimbabwe on “peaceful, credible, well managed and transparent” elections, and commended them for the “high levels of political tolerance and maturity displayed”. It also found that “the vote counting process was conducted meticulously and lawfully”.¹¹⁵

The South African Government’s observer mission, led by the Labour Minister, Membathisi Mdladlana, found that the Zimbabwe election reflected “the free will of the people”, was conducted in line with the laws of the country and generally conformed to the SADC guidelines. The MDC responded by effectively cutting its ties with the South African Government.

The observer mission from the South African Parliament reported that it “unanimously agreed that the elections were credible, legitimate, free and fair and conformed to the SADC elections guidelines”, but this was after the opposition Democratic Alliance and Independent Democrat members had pulled out and made their own statements.¹¹⁶ The mission postponed its statement to investigate MDC complaints about the declared results in over a quarter of constituencies. While it believed that the elections were “peaceful and credible”, it expressed concern about the number of people who were turned away from the polls for various reasons.¹¹⁷

The Zimbabwe Election Support Network (ZESN), a long-established NGO which groups 35 human rights organisations, sent observers into the field several months before the election and deployed 6,000 observers to two-thirds of some 8,200 polling stations on the day of the election. Its report welcomed the reduced level of violence in the run-up to the election and the peaceful voting on polling day, but it reported that traditional leaders had threatened their subjects with eviction and other unspecified action if they failed to vote for the ruling party; that opposition parties were not free to campaign in certain parts of the country; and that intimidation included the politicisation of food distribution.¹¹⁸ ZESN estimated that some 10 per cent of would-be voters were turned away from polling stations, either because their names were not on the electoral roll, they did not have the right identity papers, or they were in the wrong constituency.¹¹⁹ It also noted huge discrepancies between the number of people recorded as having voted and the final vote tallies in many districts, especially in the Government’s rural strongholds.¹²⁰

¹¹⁴ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, p19, link from: <http://www.crisisgroup.org/home/index.cfm?l=1&id=3499>

¹¹⁵ SADC Election Observer Mission Preliminary Statement, 3 April 2005, <http://www.sadc.int/printout.php>

¹¹⁶ *ibid.*

¹¹⁷ Report by David Gollust, US State Department, *Voice of America News*, 5 April 2005

¹¹⁸ Peta Thornycroft, *Daily Telegraph*, 4 April 2005

¹¹⁹ BBC News, 1 April 2005

¹²⁰ Andrew Meldrum, *Guardian*, 4 April 2005

E. International reactions

a. The UK

The Foreign Secretary commented on the Zimbabwe election in the House of Commons on 5 April 2005:

There is ... strong evidence that they [the official, published results of the election] do not reflect the free democratic will of the Zimbabwean people. There was, it is true, less violence than in 2000 and 2002, but overall the election process was seriously flawed. Thousands were turned away from the polling booths; there are serious unexplained discrepancies between votes tallied and the official number announced; other abuse was rife; food aid misused; ghost voters; a lack of equal access to the media; the use of draconian security legislation; an Election Commission packed with ZANU (PF) supporters.

... if Mr Mugabe had had nothing to hide over the conduct of these elections, he would have allowed full access by the international media, and by experienced external election observers. But the BBC and others were banned; Commonwealth and EU monitors refused access; and, most revealing of all, even observers from the experienced and respected Southern African Development Community Parliamentary Forum were banned – presumably to punish them for their critical report in 2002. (...)

...I am surprised and saddened that Zimbabwe's neighbours have chosen to ignore the obvious and serious flaws in these elections and have declared them fair. But many in Southern Africa have spoken out about the reality of Zimbabwe. Just two months ago Archbishop Desmond Tutu [of South Africa] said that Zimbabwe was a 'huge blot on the record' of the world's poorest continent; and the Deputy President of the Confederation of South African Trades Unions, Joe Nkosi, complained that free and fair elections could not occur 'under current legislation'. COSATU delegations have been banned from Zimbabwe for their stand.

The UK will continue to work with its international partners for a return to accountable, democratic government which respects the rule of law and the human rights of Zimbabweans.¹²¹

b. The EU

The EU Presidency's Declaration of 5 April 2005 on the conduct of the elections included the following comments:

There were some improvements in the conduct of the elections compared with previous polls, and Zimbabwe has made some technical adjustments to the electoral framework in order to observe SADC's principles and guidelines.

¹²¹ HC Deb 5 April 2005, cc1260-1

However, the European Union is concerned by a number of serious shortcomings found in the Zimbabwean electoral system. It also expresses reservations about the environment in which the voting took place. These are in addition to more general and more worrying findings concerning the human rights situation.¹²²

c. The USA

In a written statement on 1 April 2005 US Secretary of State Condoleezza Rice made the following assessment:

Although the campaign and Election Day itself were generally peaceful, the election process was not free and fair. The electoral playing field was heavily tilted in the government's favor. The independent press was muzzled; freedom of assembly was constrained; food was used as a weapon to sway hungry voters; and millions of Zimbabweans who have been forced by the nation's economic collapse to emigrate were disenfranchised. On election day itself, more than ten percent of would-be voters overall, and a disproportionately higher ratio in the most hotly contested constituencies, were turned away from polling stations due to irregularities with the voter registration rolls.

The statement continued:

The United States calls on the Government of Zimbabwe to recognize the legitimacy of the opposition and abandon policies designed to repress, crush and otherwise stifle expressions of differences in Zimbabwe. Zimbabwe's leaders have a responsibility to address the political and economic problems that have wrecked what only a few years ago was one of Africa's success stories. By restoring democratic institutions and respecting the wishes of its people, Zimbabwe can retake its place as an honorable member of the world community.¹²³

IV Operation *Murambatsvina* ("Drive out the Rubbish")

A. Demolition and mass evictions

The humanitarian situation in Zimbabwe has deteriorated sharply since 19 May 2005, when the Government embarked, without warning, on a widespread campaign to demolish 'illegal' market stalls of small traders and informal domestic buildings in the shanty towns of Harare, Bulawayo and other urban areas. This campaign was code-named "Operation *Murambatsvina*" (a Shona word, variously translated as "Drive out the Rubbish" or – as the Zimbabwe Government prefers - "Restore Order"). The large-scale demolition operation was not confined to informal markets and shanty towns: as it progressed, some long-established, substantially built homes and businesses were also destroyed, as were "illegal structures" without planning approval in the more prosperous

¹²² Council of the European Union, 5 April 2005, http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/cfsp/84461.pdf

¹²³ <http://usinfo.state.gov/utis/printpage.html>

suburbs of Harare. The eviction and demolition operation has even extended to parts of the countryside, where shanties built on farms by the “war veterans” were targeted.¹²⁴

According to the International Crisis Group (ICG), the operation began after the Minister of National Security warned the Government of the risk of mass protests in response to the severe economic situation, especially in the opposition strongholds of Harare and Bulawayo.¹²⁵ The authorities have described it as a comprehensive effort to clean up the cities, which they claim have become overrun with criminals, and also to address health problems created by overcrowding and poor sanitation. Another objective was to eradicate a thriving black market. In his speech at the opening of the new Parliament on 9 June President Mugabe described the operation as a “vigorous clean-up campaign to restore sanity and order in urban and other areas”.¹²⁶

The operation aims to enforce bylaws to stop all forms of alleged illegal activity in areas such as vending, illegal structures and illegal cultivation in the cities. However, *Africa Confidential* reports that “some vendors whose businesses were destroyed had been allocated stands by local authorities, were paying rent and were operating legally”.¹²⁷ These small traders, who have now been deprived of their livelihood, had become a vital linchpin of Zimbabwe’s urban economy at a time when unemployment in the formal sector is 70% or higher and there are severe shortages of food, fuel and other daily commodities.¹²⁸

The Zimbabwe authorities have claimed that the ‘clean-up’ programme is part of an urban renewal strategy, and they have announced a three-year construction programme, “Operation Garikai” (Rebuilding and Reconstruction), at a cost of US\$300m (£164m),¹²⁹ to provide homes and business premises for those affected by *Murambatsvina*. They have also appealed to the international community for assistance towards this objective. Critics have pointed out, however, that new housing should have been provided *before* the demolitions began.

For the time being, the Government expected those displaced to move to temporary transit camps, and then to their rural home area or alternative locations. The demolition work led to several deaths among those being evicted, including some children. In some cases armed riot police forced people to demolish their own homes.

Kate Hoey MP visited Zimbabwe in mid-June 2005. Speaking in an adjournment debate on Zimbabwe on her return, she gave a vivid account of the scale of demolition in the industrial suburbs of Harare:

Particularly shocking were the industrial suburbs of Harare, where there used to be hundreds of bustling workshops, with their valuable machinery. Many people

¹²⁴ *Daily Telegraph*, 20 June 2005

¹²⁵ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Group report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?id=3499&CFID=1057159&CFTOKEN=13025501>

¹²⁶ *Daily Telegraph*, 10 June 2005

¹²⁷ *Africa Confidential*, 10 June 2005

¹²⁸ IRIN News, 2 August 2005

¹²⁹ *Financial Times*, 27 June 2005

who wanted to be able to look after their own livelihoods had created these small businesses and factories ... The Mugabe police simply came in and bulldozed them down, destroying thousands of pounds worth of machinery and leaving flattened concrete behind. Those buildings had been solidly built. Mugabe and his forces talk about these constructions being illegal, but they were proper homes. In many cases, people had lived in them all their lives, but now their contents have been destroyed, and those people's homes and lives ruined..¹³⁰

The Foreign Office reported on 27 June 2005 that more than 30,000 people, mainly traders, had been arrested since Operation *Murambatsvina* began.¹³¹ Zimbabwe's police chief, Augustine Chihuri, has given a higher figure of some 46,000 arrests for trading without a licence, hoarding and illegal possession of foreign currency; but reports suggest that most of those arrested were subsequently released. Mr Chihuri claimed that burglary and car theft had declined by 20% since the operation began.¹³²

To demonstrate opposition to the mass evictions, a nationwide two-day "stay-away" was called for 9-10 June by the Broad Alliance, a coalition of the opposition Movement for Democratic Change (MDC) and civic organisations, including the Zimbabwe Congress of Trade Unions, the Crisis in Zimbabwe Coalition and the National Constitutional Assembly. This coincided with the opening of the new Parliament on 9 June, which the MDC decided to boycott as a mark of protest.

In the event the strike made little impact. The Government reportedly threatened to victimise employers if they shut down in solidarity with those on strike; those with jobs were afraid of losing them through being involved in industrial action; and the large numbers of unemployed had no jobs from which to "stay away". Commentators have also pointed out that the Broad Coalition was poorly organised, and that state control of the media made it difficult to publicise the protest and secure widespread support. Bev Clark, who manages the Zimbabwe civic and human rights website, www.kubatana.net, has commented that "pro-democracy activists and NGOs in Zimbabwe are running on empty, devoid of any new and creative ideas about how to challenge Mugabe."¹³³

Commentators have suggested several possible reasons for the Government's action. Most analysts support the MDC's claim that the forced evictions are retribution against those who voted against ZANU-PF in recent elections, as the MDC draws most of its support from the urban population. Others think that the Government may be fearful of an urban uprising and seeking to disperse an angry, poor population from the cities to rural areas, where ZANU-PF is dominant; or that it has the longer-term purpose of creating a new class of rural poor that would be dependent on government aid and thus ultimately prepared to support the Government.¹³⁴ Another view is that agricultural labour is needed in rural areas, as many of those who took over farms have now drifted back to the cities. The International Crisis Group has suggested that Operation *Murambatsvina* is a medium- to long-term strategy to alter radically the demographic profile of urban

¹³⁰ HC Deb 27 June 2005, c1114

¹³¹ HC Deb 27 June 2005, c1125

¹³² BBC News Online, 24 June 2005

¹³³ Bev Clark, "Mass evictions in Zimbabwe", Open Democracy, www.openDemocracy.net

¹³⁴ *ibid.*

centres, by depopulating the opposition enclaves of Harare, Bulawayo and key provincial towns ahead of the next elections in 2008 and 2010.¹³⁵ *Africa Confidential* suggests that the operation may have been intended to boost the financial recovery programme unveiled on 19 May 2005 by the Central Bank Governor, Gideon Gono, who identified the “grey market” as the single largest threat to this programme.¹³⁶

B. The humanitarian crisis

The already grave humanitarian situation in Zimbabwe has been severely exacerbated by Operation *Murambatsvina*, which has left hundreds of thousands of the most vulnerable people in Zimbabwe homeless and destitute.

The UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs Anna Kajumulo Tibaijuka, summed up the impact of the operation, following a fact-finding mission to Zimbabwe in late June/early July 2005:

Hundreds of thousands of women, men and children were made homeless, without access to food, water and sanitation, or health care. Education for thousands of school age children has been disrupted. Many of the sick, including those with HIV and AIDS, no longer have access to care. The vast majority of those directly and indirectly affected are the poor and disadvantaged segments of the population. They are, today, deeper in poverty, deprivation and destitution, and have been rendered more vulnerable.¹³⁷

For many of those evicted from their homes, there was little prospect of finding any form of shelter, and large numbers of people have had to sleep in the open in winter conditions. Some of the homeless sought refuge in churches and community halls, while others were taken to holding camps, such as Caledonia Farm, east of Harare, where conditions were reported to be extremely poor, with no access to food, clean water or sanitation. There was therefore a high risk of disease.

There have been widely differing estimates of the number of people affected by the mass evictions. At the end of June 2005 DFID gave an estimate of 66,000 households (approaching 330,000 people),¹³⁸ while the UN Office for the Co-ordination of Humanitarian Affairs estimated that 375,000 people had been displaced by 1 July 2005.¹³⁹ On her return from Zimbabwe, Kate Hoey told the House of Commons that between 750,000 and one million people had been displaced by the forced removals,¹⁴⁰ and the Roman Catholic Archbishop of Bulawayo, Pius Ncube, a vocal critic of the ZANU-PF regime, put the figure even higher, at 1.5 million people.¹⁴¹

¹³⁵ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Group report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?id=3499&CFID=1057159&CFTOKEN=13025501>

¹³⁶ *Africa Confidential*, 10 June 2005

¹³⁷ Executive summary of *Report of the fact-finding mission to Zimbabwe to assess the scope and impact of Operation Murambatsvina, by the UN Special Envoy on Human Settlements Issues in Zimbabwe*, released 22 July 2005. Link to the report from: <http://www.unhabitat.org/>. More information on the findings of this report is given at C (6) below.

¹³⁸ HC Deb 29 June 2005, c1540W

¹³⁹ IRIN News, 6 July 2005

¹⁴⁰ Adjournment debate on Zimbabwe, HC Deb 27 June 2005, c1112

¹⁴¹ Interview with Channel 4 News, Reuters AlertNet, 24 June 2005

The latest assessment, from the report of the Special Envoy sent by the UN Secretary-General to assess the situation in late June/early July 2005, is that “some 700,000 people in cities across the country have lost either their homes, their source of livelihood or both. Indirectly, a further 2.4 million people have been affected in varying degrees.”¹⁴² More information on the findings of this report, which was released on 22 July 2005, can be found in the section on the response of the United Nations, at C(6) below.

C. The international response

1. UK

The Foreign Office informed Parliament on 21 June 2005 that the British ambassador in Harare had condemned the actions of the Zimbabwean authorities at meetings with Zimbabwe’s second Vice-President, Joyce Mujuru and with the Minister for National Security, Didymus Mutasa, at the beginning of June. In London Lord Triesman, the Foreign Office Minister with responsibility for Africa, summoned Zimbabwe’s Chargé d’Affaires “to make clear the repugnance of the people of the United Kingdom for the steps that have been taken”.¹⁴³ The UK ambassador to the UN raised the situation in Zimbabwe with the UN Secretary-General and the UN Commissioner for Human Rights, and the British Government welcomed Mr Annan’s decision to send a Special Envoy on human settlement issues to Zimbabwe.¹⁴⁴

The Foreign Office also reported that British diplomatic posts across Africa were raising UK concerns about Zimbabwe with host governments who may have some influence on the Zimbabwe regime.¹⁴⁵ The Minister of State, Ian Pearson, assured the House:

The Government are putting pressure on President Mbeki. He is very much aware of our views and we will continue to have dialogue with the South African Government about the pressure they can bring to bear on the Zimbabwean regime.¹⁴⁶

At a press conference, following the meeting of G8 Foreign Ministers on 23 June 2005, the Foreign Secretary expressed the Government’s view that there was “a really high responsibility now placed on African leaders not to continue to turn a blind eye to what is going on in Zimbabwe”, adding:

If the reports are simply half truths, and we believe them to be much more than half truths, this is a situation of serious international concern, and no government

¹⁴² Executive summary of *Report of the fact-finding mission to Zimbabwe to assess the scope and impact of Operation Murambatsvina, by the UN Special Envoy on Human Settlements Issues in Zimbabwe*, released 22 July 2005. Link from: <http://www.unhabitat.org/>.

¹⁴³ HL Deb 21 June 2005, c1517

¹⁴⁴ HC Deb 4 July 2005, cc189-90W

¹⁴⁵ HC Deb 21 June 2005, c642

¹⁴⁶ HC Deb 27 June, c1126

which subscribes to human rights and democracy should allow this kind of thing effectively to go on under their noses.¹⁴⁷

The Prime Minister also called for African states to exert pressure on Zimbabwe:

We will continue to exert all the pressure that we can, but ... in the end the best pressure will come from those countries surrounding Zimbabwe. That is why ... we must ensure that African countries realise that they have a great responsibility to sort this out themselves.¹⁴⁸

The Secretary of State for International Development, Hilary Benn, told the House on 29 June 2005 that the UK had so far given \$570,000 to the International Organisation for Migration and, most recently, to UNICEF, to provide practical assistance for those who have lost their homes in Zimbabwe.¹⁴⁹ As of 27 June 2005, nearly 10,000 families had been reached with food, blankets, soap and other forms of assistance; and, where appropriate, emergency water and sanitation facilities had been provided.¹⁵⁰ DFID also has an HIV/AIDS programme in Zimbabwe, which operates through NGOs and others.¹⁵¹ No financial assistance is given directly to the Zimbabwean Government.

2. EU

A Declaration of 7 June 2005 by the EU Presidency, on behalf of the EU, condemned the “brutal actions” undertaken by the authorities in Zimbabwe, which it regarded as “a blatant proof of the Zimbabwean Government’s lack of concern for the well-being of the civilian population, especially in urban areas”. The EU appealed to the Government of Zimbabwe to put an immediate end to this operation, urging it to respect human rights and the rule of law, and “to implement policies aimed at easing the situation of the populations that are most in need.”¹⁵²

The General Affairs and External Relations Council agreed more detailed conclusions on 18 July 2005. The Council:

- regretted that the Government of Zimbabwe has chosen not to tackle the root causes of the current crisis;
- expressed its profound concern that these evictions and demolitions have been undertaken in contravention of international law on human rights;
- expressed utmost concern that forcible displacement to rural areas does not provide a humane and sustainable solution at a time when the rural areas are suffering acute food shortages;
- noted that the Government of Zimbabwe has outlined measures to provide alternative shelter and informal trading areas and insisted that this be done

¹⁴⁷ G8 Gleneagles 2005 website, <http://www.g8.gov.uk/servlet/ServletFront?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1078995903270&a=KArticle&aid=1119511629136>

¹⁴⁸ HC Deb 29 June 2005, c1290

¹⁴⁹ HC Deb 29 June 2005, c1282

¹⁵⁰ HC Deb 27 June 2005, c1125

¹⁵¹ HC Deb 29 June 2005, c1282

¹⁵² <http://www.eu2005.lu/en/actualites/pesc/2005/06/07zimbabwe/index.html>

urgently and with due consideration to those who have lost their dwellings and livelihoods due to this operation;

- noted that the European Commission and member states are already providing much-needed assistance and stood ready to increase assistance to those in need, in accordance with the principles of humanitarian aid, especially where there is a threat to life, and in this context, called for unfettered and unconditional access to the displaced population.¹⁵³

The EU's targeted sanctions on Zimbabwe (comprising an arms embargo on the country and a travel ban and asset freeze on President Mugabe and leading figures in the regime) have been in place since 2002 and are subject to annual renewal. They were last renewed in February 2005, with provision for a review after the March parliamentary elections. On 13 June 2005, following a reassessment of the situation in Zimbabwe, EU Foreign Ministers decided to extend the list of members of the ZANU-PF regime affected by the travel ban and assets freeze from 95 to 120 names. The revised list includes all the senior members of the new Government and the ZANU-PF politburo, as well as senior figures "involved in manipulating the election",¹⁵⁴ and also Mrs Grace Mugabe, the President's wife.

3. USA

In a statement on 16 June 2005 the US State Department condemned the ongoing campaign of destruction. It called on the Government of Zimbabwe to cooperate with international donor agencies working to provide relief to the displaced population, and pointed out:

Zimbabwe's economic decline cannot be reversed by heavy-handed crackdowns on the poor. Zimbabwe needs dialogue among all social and political factions to overcome its political, economic and humanitarian crises, and to end its international isolation.¹⁵⁵

The United States Agency for International Development/Office of Foreign Disaster Assistance (OFDA) is assisting the displaced persons in Zimbabwe through an existing \$1.1 million facility with the International Organisation for Migration.¹⁵⁶ On 3 August 2005 the United States expanded its economic sanctions against Zimbabwe.¹⁵⁷

4. Australia and New Zealand

In a joint statement on 2 July 2005 the Foreign Ministers of Australia and New Zealand announced a range of measures aimed at increasing pressure on the Zimbabwe regime to cease the "destruction of its people's homes, livelihoods and basic human rights". The measures included:

¹⁵³ <http://www.eu2005.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1107293391098&a=KArticle&aid=1115136002671>

¹⁵⁴ Written Statement by the Foreign Secretary, HC Deb 14 June 2005, c9WS

¹⁵⁵ <http://www.state.gov/r/pa/prs/ps/2005/48199.htm>

¹⁵⁶ *ibid.*

¹⁵⁷ For details see US Treasury press release, 3 August 2005

- Making representations to the International Cricket Council (ICC), urging it to alter the rules to allow teams to forfeit tours to countries where serious human rights abuses are occurring;
- exploring with like-minded countries a total sporting ban on all Zimbabwe representative teams;
- making urgent representations to the UN Commissioner for Human Rights and to members of the Security Council to urge the UN to investigate past and present human rights abuses in Zimbabwe;
- supporting moves to expel Zimbabwe from the International Monetary Fund;
- making a joint demarche to SADC members, urging them to place diplomatic pressure on Zimbabwe to conform with international human rights standards;
- proposing to members of the Security Council that the actions of the Mugabe regime be referred to the International Criminal Court.¹⁵⁸

In response to “Operation *Murambatsvina*”, Australia also strengthened its existing package of “smart sanctions” against Zimbabwe on 14 June 2005, by ending the privilege extended to Zimbabwean passport holders, including diplomatic passport holders, to transit Australian airports on their way to a third country without holding an Australian visa.¹⁵⁹

5. African states

The African Union (AU) and the leaders of African states have been unwilling to respond to calls from the UK, the United States, G8 Foreign Ministers and the EU to speak out against the forced removals in Zimbabwe. There was no mention of Zimbabwe on the agenda of the AU Summit in Libya at the beginning of July 2005.

In an interview with the *Financial Times* on 6 July 2005, UN Secretary-General Kofi Annan criticised the reluctance of African governments to join the international condemnation of the evictions in Zimbabwe, saying:

I've often tried to tell them they cannot continue to treat these situations as purely internal. It starts as internal but it becomes a regional problem. Nobody invests in a bad neighbourhood and if you have just one or two countries behaving that way, that hurts everybody.¹⁶⁰

President Obasanjo of Nigeria, the current Chairman of the African Union, said in London on 6 July 2005 that he would not be part of any public condemnation of Robert Mugabe, although he would offer his “good offices” in the country.¹⁶¹

¹⁵⁸ http://www.foreignminister.gov.au/releases/2005/joint_zimbabwe.html

¹⁵⁹ http://www.foreignminister.gov.au/releases/2005/fa076_05.html. Further Information on Australia's sanctions package can be found at http://www.foreignminister.gov.au/releases/2002/fa146_02.html & http://www.foreignminister.gov.au/releases/2004/fa033_04.html

¹⁶⁰ *Financial Times*, 7 July 2005

¹⁶¹ *ibid.*

The official spokesman of the AU acknowledged that it was painful that the poor people of Zimbabwe were being displaced, but said that it was not appropriate for the AU to interfere in the internal affairs of its member states, and that the organisation had more pressing problems to address. He added that, if human rights were violated, this was a matter for the African Commission on Human and People's Rights.¹⁶² The President of the European Commission, José Manuel Barroso, criticised the AU's response, commenting that "Questions of human rights should be the concern of all people. They are universal values and everybody should respect those values."¹⁶³

On 29 June 2005, the Chairperson of the AU Commission designated Bahame Tom Nyanduga, an AU human rights commissioner and Special Rapporteur responsible for Refugees, Asylum Seekers and Internally Displaced Persons in Africa, to carry out a fact-finding mission in Zimbabwe and report back to the Commission.¹⁶⁴ Mr Nyanduga arrived in Zimbabwe on 30 June, but left the country on 7 July without comment, having apparently encountered accreditation problems. His visit was described by government officials in Harare as being "in breach of protocol", and they reportedly wanted him to be withdrawn and a new envoy appointed.¹⁶⁵ Some commentators linked this response to a critical report on human rights in Zimbabwe by the African Commission on Human and People's Rights, which was adopted by the AU's executive council in February 2005.¹⁶⁶ The Zimbabwe Government may have anticipated a similarly critical report by Mr Nyanduga on the mass evictions programme.

President Mbeki of South Africa, the African leader best placed to exert influence on the Zimbabwe regime, has been reluctant to condemn the mass evictions. At a press conference with the European Commission President in late June 2005 Mr Mbeki said only that he had spoken with the UN Secretary-General and would await the report of the UN Special Envoy on the situation in Zimbabwe.¹⁶⁷ The same response was given by Mr Mbeki's spokesman, following the South African President's meeting with the MDC leader, Morgan Tsvangirai at the beginning of July, before the AU summit. It is understood that Mr Tsvangirai had requested this meeting to brief the South African President on Operation *Murambatsvina*.¹⁶⁸

In a statement on 19 June 2005 Joe Seramane, spokesperson on Africa for South Africa's opposition Democratic Alliance, compared the operation in Zimbabwe to forced removals during the apartheid era in South Africa, but on an even greater scale, and criticised President Mbeki for remaining silent. He commented:

In order to ensure Africa's credibility at the forthcoming G8 Summit at Gleneagles, President Mbeki must condemn these indefensible acts in the clearest possible terms. The African Peer Review Mechanism will never be taken seriously by world leaders unless President Mbeki and his fellow African leaders

¹⁶² "AU declines to intervene in Zimbabwe", CNN.com, 24 June 2005

¹⁶³ *Daily Telegraph*, 27 June 2005

¹⁶⁴ AU press release, 29 June 2005

¹⁶⁵ *Financial Gazette*, 7 July 2005, via Africa News

¹⁶⁶ *ibid.*

¹⁶⁷ Reuters Foundation AlertNet, 25 June 2005

¹⁶⁸ IRIN News, 7 July 2005

are seen to be taking action against acts of despotism of this sort. Unless urgent and focused action is taken by President Mbeki on Zimbabwe, there is every chance that a humanitarian crisis of unimaginable proportions will be allowed to develop -- to the cost [of] all who live in the region.¹⁶⁹

6. UN: Report by the Special Envoy on Human Settlements Issues

It was announced on 20 June 2005 that the UN Secretary-General, had appointed the Executive Director of UN-HABITAT (the agency for human settlements), Mrs Anna Kajumulo Tibaijuka of Tanzania, as his Special Envoy on Human Settlements Issues in Zimbabwe, to assess the situation on the ground and make recommendations on how to address the conditions of those affected. Mrs Tibaijuka visited Zimbabwe with an eight-member team from 26 June to 8 July 2005. The mission met with President Mugabe, representatives of all levels of government, political parties, religious leaders, civil society organisations, the private sector, professional and trade associations, academia, and the donor and humanitarian community. It also received a large volume of written material, held town hall meetings and made site visits across the country, visiting the major urban centres, witnessing the process of demolition and meeting with many of its victims.¹⁷⁰ Before leaving Zimbabwe on 9 July, Mrs Tibaijuka announced that she would appoint a programme manager immediately to help the Zimbabwe Government with its urbanisation programme.¹⁷¹

The Special Envoy's 100-page report was released on 22 July 2005. The following extracts from Mrs Tibaijuka's press conference summarise her findings and recommendations:

She said the situation on the ground, was quite complex and did not render itself to quick, simplistic opinions, generalizations or solutions. Her findings and recommendations were equally complex, involving both an immediate humanitarian need to avert further suffering, a need to allow progress in areas requiring reforms and, both in the policy and legal areas, a need to create a basis for sustainable reconstruction and relief. The Secretary-General had accepted her recommendation that urgent assistance was needed to avert further suffering on the part of the victims and it was sincerely to be hoped that the findings and recommendations would be helpful to the Government and useful in mobilizing international assistance for the people of Zimbabwe. (...)

Giving a summary of her findings, she said an estimated 700,000 people in cities and towns across the country were direct victims of the operation, an estimate based on government statistics. If one were to analyse the implications of those affected indirectly, ... Operation Murambatsvina had affected some 2.4 million people, or 18 per cent of Zimbabwe's population. People were facing great difficulties in one way or another, particularly the loss of household incomes, and the informal sector had been wiped out with considerable repercussions.

¹⁶⁹ <http://www.da.org.za/DA/Site/Eng/News/Article.asp?ID=5378>

¹⁷⁰ Executive summary of the *Report of the fact-finding mission to Zimbabwe to assess the scope and impact of Operation Murambatsvina*, by the UN Special Envoy on Human Settlements, Mrs Anna Kajumulo Tibaijuka, released 22 July 2005. Link from <http://www.unhabitat.org/>

¹⁷¹ UN News Service, 8 July 2005

With 700,000 people badly affected and needing immediate assistance with food, water, sanitation services, and above all, shelter, the Government should cease operations immediately, she said. There was also an urgent need for the Government to facilitate humanitarian operations within a pro-poor and gender-sensitive policy framework, the majority of victims on the ground being women and the children they supported. There was also an immediate need for the Government to revise the outdated Regional Town and Country planning laws, which actually governed management of the cities. They emanated from the colonial period and had been devised to keep the towns for a select few. It was their rigorous application that had actually generated the humanitarian crisis.

She said there was also a need to revive dialogue and restore trust between different spheres of the Government, as well as between the Government and civil society. Those who had orchestrated the catastrophe must be brought to account, and the Government should be encouraged to find the courage to set things right. There was no evidence on the ground that the operation had been a planned programme, but the few people who had advised its launch should be brought to account. The Government should itself set a good example in terms of following the rule of law before asking its people to do so. In a number of instances demolitions had proceeded despite court orders.

Noting that the wrecking of the informal sector would have repercussions in terms of unemployment and restoring livelihoods, she stressed the need to revive small-scale income-generating activities, adding that she was also recommending that the Government take urgent measures to grant full citizenship to former migrant workers from neighbouring countries, notably Malawi, Mozambique and Zambia. Those were the people working on the commercial farms, and most of them had been adversely affected by Operation Murambatsvina.¹⁷²

The report made further recommendations to the UN and the international community. In summary, these were:

- The Zimbabwe Government has launched a programme, Operation Garikai (Rebuilding and Reconstruction) to provide new homes and business premises, but “has limited capacity to fully address the needs of the affected population without the assistance of the international community.” The UN should work with the Zimbabwe Government “to mobilise immediate assistance from the international community to avert further suffering, and encourage the Government to create conditions for sustainable relief and reconstruction for those affected.”
- The UN, working with the AU and SADC, should assist the Zimbabwe Government to promote internal dialogue and also dialogue with the international community,” with a view to working out the modalities of returning Zimbabwe into the international fold.”
- “Although a case for crime against humanity under Article 7 of the Rome Statute [International Criminal Court] might be difficult to sustain”, the international

¹⁷² Press conference by Special Envoy on Human Settlements Issues in Zimbabwe, 22 July 2005, <http://www0.un.org/News/briefings/docs/2005/tibaijukapc050722.doc.htm>

community “should encourage the Government to prosecute all those who orchestrated this catastrophe and those who may have caused criminal negligence leading to alleged deaths, if so confirmed by an independent internal inquiry/inquest.”¹⁷³

A fuller account of the report’s findings and recommendations is given in the Executive Summary. This is contained in the Special Envoy’s Report, which can be accessed via a link from <http://www.unhabitat.org/>.

In a statement on 22 July 2005 the UN Secretary-General said that the “profoundly distressing” report confirmed that Operation *Murambatsvina* had done “a catastrophic injustice to as many as 700,000 of Zimbabwe’s poorest citizens, through indiscriminate actions, carried out with disquieting indifference to human suffering”. He called on the Zimbabwe Government “to stop these evictions and demolitions immediately, and to ensure that those who orchestrated this ill-advised policy are held accountable for their actions.” He confirmed that the UN “would urgently seek agreement with the Government of Zimbabwe to mobilize immediate humanitarian assistance on the scale that is required to avert further suffering.” He urged the international community to respond generously, and called on the Zimbabwe Government to “recognize the virtual state of emergency that now exists, allow unhindered access for humanitarian operations, and create conditions for sustainable relief and reconstruction.” Finally, Mr Annan gave an undertaking that, once the most acute human needs had been addressed, the UN would give whatever help it could in implementing the report’s other recommendations.¹⁷⁴

At the request of the UK,¹⁷⁵ the UN Special Envoy was invited to brief the Security Council on her report at a closed meeting on 27 July 2005. This happened despite opposition from China, Russia and the African members of the Council (currently Algeria, Benin and Tanzania), who reportedly argued that the situation in Zimbabwe did not pose a threat to international peace and security. At Russia’s request a vote was taken on the agenda, on a procedural motion. The required minimum of nine members voted in favour (UK, USA, France, Greece, the Philippines, Romania, Argentina, Denmark and Japan) and five voted against (China, Russia, Algeria, Benin and Tanzania), while Brazil abstained.¹⁷⁶ Zimbabwe’s ambassador to the UN, Boniface Chidyausiku, attended the Security Council briefing, by invitation. Speaking to the press, he called the Special Envoy’s report “exaggerated” and criticised the British Government for its persistent desire to place Zimbabwe on the Security Council agenda.¹⁷⁷

On 28 July, the day after the Security Council briefing on the Special Envoy’s report, one of Zimbabwe’s Vice-Presidents, Joyce Mujuru, announced that Operation

¹⁷³ Executive summary of the *Report of the fact-finding mission to Zimbabwe to assess the scope and impact of Operation Murambatsvina, by the UN Special Envoy on Human Settlements, Mrs Anna Kajumulo Tibaijuka*, released 22 July 2005. Link from <http://www.unhabitat.org/>

¹⁷⁴ Press release SG/SM/10012, 22 July 2005

¹⁷⁵ Letters from the Permanent Representative of the UK to the President of the Security Council, S/2005/485 and S/2005/489, 26 July 2005

¹⁷⁶ Official communiqué of the 5237th (closed) meeting of the Security Council, S/PV.5237, 27 July 2005, <http://daccessdds.un.org/doc/UNDOC/GEN/N05/442/81/PDF/N0544281.pdf?OpenElement>

¹⁷⁷ Voice of America News, 27 July 2005

Murambatsvina had been completed.¹⁷⁸ Forced evictions had continued throughout July. According to the International Crisis Group, the camps for the displaced closed on 22 July and the homeless were then transported to rural areas or now-demolished townships.¹⁷⁹

The UN Office for the Coordination of Humanitarian Affairs announced on 4 August 2005 that it would be launching a humanitarian appeal to help those worst affected by the evictions. Its main priority would be to provide shelter, then food and sanitation.¹⁸⁰

V The political parties

An *Africa Confidential* article, written soon after the March 2005 election, commented: "This parliamentary election has resolved nothing. Both parties have come out of it more unstable than they were a month ago."¹⁸¹

A. ZANU-PF

President Mugabe, who is now 81 years old, announced in May 2004 that he would not seek re-election when his current six-year term ends in 2008, and might retire before then.¹⁸² He has confirmed since the March 2005 election that he will leave the Presidency in 2008.¹⁸³ These announcements generated a fierce succession battle within ZANU-PF, which came to the surface in the run-up to the party congress in December 2004 as competing factions manoeuvred for one of the two Vice-President posts, which had been vacant for more than a year, following the death of the incumbent.

The Shona ethnic group dominates ZANU-PF, and splits have emerged between two Shona factions within the party, the Karanga and Zezuru clans. As the International Crisis Group explains:

The Zezuru faction was essentially led by retired Army General Rex (Solomon) Mujuru, while [the then] Speaker of Parliament Emmerson Mnangagwa led the Karanga faction. Nevertheless, these alliances have many nuances. The power struggle does not divide neatly along Zezuru-Karanga lines; Mujuru and Mnangagwa have loyalists from a variety of clans and ethnic groups.¹⁸⁴

The larger Karanga group made up the bulk of the ZANU-PF leadership during the civil war and the early independence period, but, in the words of IISS, "Mugabe's

¹⁷⁸ BBC News, 28 July 2005

¹⁷⁹ International Crisis Group, *Crisiswatch*, 08/2005

¹⁸⁰ UN News Service, 4 August 2005

¹⁸¹ *Africa Confidential*, 15 April 2005

¹⁸² International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005

¹⁸³ *The Herald* (Zimbabwe), 22 April 2005, cited in ICG Report No.93, 7 June 2005

¹⁸⁴ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?!=1&id=3499>

dependence on the twinning of his own Shona clique, the Zezuru, with that of the country's security forces has become the bedrock of his residual claim to power".¹⁸⁵

In November 2004 Emmerson Mnangagwa, who was regarded by some analysts as President Mugabe's favoured successor, announced his candidacy for the second Vice-President post. On the eve of the congress, at a meeting convened by Information Minister, Jonathan Moyo, Mr Mnangagwa's supporters secretly drew up the "Tsholotsho Declaration", which aimed to replace all members of the presidium, apart from President Mugabe, with figures sympathetic to their faction. Before the annual party congress in December 2004, however, the Mujuru faction secured an amendment to the party constitution to reserve the vacant vice-presidential post for a woman, thus disqualifying Mr Mnangagwa and other male contenders.

The party congress endorsed Joyce Mujuru – wife of the retired General Mujuru - as the party's first woman Vice-President. Mrs Mujuru, who had served as Minister of Rural Resources and Water Development since 1997 and is regarded as a loyal supporter of President Mugabe, was one of the first female commanders in ZANU's military wing, ZANLA, during the civil war.¹⁸⁶ The other Vice-President, Joseph Msika, who has served since 1999, is elderly and reported to be in poor health, and is not regarded as a plausible presidential candidate.

Following the party congress, a number of party members associated with Mr Mnangagwa were stripped of their party and government positions. The Information Minister, Jonathan Moyo, once a critic and later a close ally of the President, was removed from the central committee, the party's main policy-making body. In January 2005 he was one of several leading members of ZANU-PF excluded from the list of candidates contesting primary elections, and in February he left the cabinet and was expelled from ZANU-PF. Mr Moyo subsequently stood in the parliamentary election as an independent candidate in Tsholotsho and was elected. Mr Mnangagwa was defeated in the election, when the Mujuru faction in ZANU-PF allegedly backed the MDC candidate in his constituency; but President Mugabe subsequently appointed him as a non-constituency Member of Parliament and head of a minor ministry.¹⁸⁷

In the opinion of the International Institute for Strategic Studies, the sidelining of Mr Mnangagwa, "spells an end to the forlorn hope of the South African government that a putative 'moderate' faction within the party would ease the President out".¹⁸⁸

The International Crisis Group commented:

ZANU-PF infighting – which appears to be a struggle dominated by competing ambitions rather than any discernible policy or ideological differences – is a dangerous addition to Zimbabwe's already chaotic political scene. On 16 April

¹⁸⁵ IISS, "Zimbabwe: Mugabe's impunity", *Strategic Survey* 2004/05

¹⁸⁶ Institute of War and Peace Reporting, "Zimbabwe election key facts", http://www.iwpr.net/index.pl?africa_zimba_elect_facts.html

¹⁸⁷ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?l=1&id=3499>

¹⁸⁸ IISS, "Zimbabwe: Mugabe's impunity", *Strategic Survey* 2004/05

2005, Mugabe named a new cabinet, which reflected both an ethnic balancing act and an effort to reward Mujuru loyalists, but there is little to suggest that the power struggle has been resolved.¹⁸⁹

The ICG report also observed: “The fact that the main factions substantially represent still unreconciled ethnic interests suggests that holding the party together may be difficult.”¹⁹⁰

In July 2005 Pearson Mbalekwa, a former ZANU-PF MP and former Director of the Central Intelligence Organisation, resigned from the party’s central committee in protest at the forced evictions programme, Operation *Murambatsvina*, which he described as “callous”.¹⁹¹

According to *Africa Confidential*, “The political fallout [from Operation *Murambatsvina*] has started and the chief casualty is Mugabe, as opposition grows outside and within his ruling ZANU-PF”.¹⁹² Jonathan Moyo believes that President Mugabe’s unpopularity could threaten his party as well, because of the risk that, in trying to remove the President, people might also ditch the party.¹⁹³

B. The Movement for Democratic Change (MDC)

The outcome of the 2005 election was a severe blow to the MDC, which won 16 fewer seats than in 2000. Although it protested about massive irregularities in the conduct of the election, it decided to participate in the new Parliament. While it believes that it has majority support in the country, it fears that any attempt to stage mass protests would be countered with overwhelming force from the security services. The election result has triggered a debate within the MDC about its future direction, and this includes questions about the possible need for a new, third force if ZANU-PF is to be defeated.

Writing in the *Daily Telegraph*, David Blair was highly critical of the MDC’s performance, arguing that it was failing to fulfil its opposition role of challenging the Government:

...with every day that passes, it becomes glaringly obvious that the MDC has given up any hope of ridding Zimbabwe of Mr Mugabe. The opposition’s political strategy appears to be nothing more sophisticated than waiting for the 81-year-old dictator to die or retire.

Meanwhile, the party is paralysed and drifting under Mr Tsvangirai’s vacillating, ineffectual leadership. Internecine rivalry has broken out. The MDC’s members have taken to assaulting one another inside the party’s Harare headquarters. One MDC official has fled to South Africa after his colleagues tried to kill him.¹⁹⁴

However, the International Institute for Strategic Studies pointed out:

¹⁸⁹ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?l=1&id=3499>

¹⁹⁰ *ibid.*

¹⁹¹ “Mugabe faces attack from his own party”, by David Blair, *Daily Telegraph*, 7 July 2005

¹⁹² *Africa Confidential*, 22 July 2005

¹⁹³ *ibid.*

¹⁹⁴ “Dictator’s grip is tightened by weak protest”, by David Blair, *Daily Telegraph*, 27 July 2005.

...the combined impact of persecution by security forces and Zanu-PF youth militias ... coupled with court actions, imprisonment and media restrictions, all coming against the backdrop of unremitting economic hardship, has contributed to a general weariness within the MDC and its constituents.¹⁹⁵

It also noted:

Divisions within the trade-union movement, a critical base for the opposition party, ...have erupted into a public debate questioning the costs to members of the lengthy and open confrontation with the government. A sense of alienation experienced by some of the contributing organisations in civil society from the trade-union base of the MDC is another source of unhappiness within certain circles of the movement.¹⁹⁶

According to *Africa Confidential*, the MDC is in need of internal reorganisation: "Because the MDC represents the disparate interests of trade unionists, farmers and professionals, and is publicly backed by Western interests, it lacks coherence. It must unite to survive". It added: "Grassroots MDC supporters want a leadership shake-up, a public disavowal of British backing and clarity on land reform", and recommended:

The MDC needs a broad strategy, in alliance with civil society groups, and its galvanising issue could be constitutional reform. Economic discontent, however widespread, will not be enough until the party is seen as grounded locally, not as foreign-driven. It needs to confront structural issues such as food insecurity, rather than just railing against the symptoms.¹⁹⁷

On the other hand, Professor Stephen Chan of the School of Oriental and African Studies argued that the party was likely to split after the election:

The elections will probably herald the end of the opposition Movement for Democratic Change, as a unified political party. Its leader, Morgan Tsvangirai, is tired, his rivals emboldened, and Tsvangirai has hinted that this campaign could be his swan-song. The Movement may well split, becoming at least two, if not three parties: an urban intellectual group with moderate trade unionists, a radical trade union organisation, and possibly a third faction – depending on whether ethnic rivalries are kept under control.¹⁹⁸

Some commentators say there is discontent within the party over Mr Tsvangirai's leadership, and there are reports of a power struggle between the party leader and its Secretary-General, Welshman Ncube. Recently, factional rivalry has led to physical attacks on party members.¹⁹⁹

According to the International Crisis Group, "moderates" in the party have, in general, rallied behind Mr Ncube. This group is said to include "professionals, academics,

¹⁹⁵ IISS, "Zimbabwe: Mugabe's impunity", *Strategic Survey* 2004/05

¹⁹⁶ *ibid.*

¹⁹⁷ *Africa Confidential*, 13 May 2005

¹⁹⁸ Stephen Chan, "The old fox eludes the hunt", *World Today*, April 2005

¹⁹⁹ "Zimbabwe opposition tears itself apart", *Daily Telegraph*, 25 July 2005

leaders of civic groups and others who favour a pragmatic approach that may favour taking disputes to the courts rather than the streets”, and who still believe that a negotiated settlement is more likely to resolve the political impasse than is mass political action. However, “critics argue that these positions have softened the party’s opposition to human rights abuses and repression by the ZANU-PF government.”²⁰⁰

The ICG states that the wing of the party led by Mr Tsvangirai has generally been more optimistic about what might be achieved through mass action, but it notes that “Tsvangirai’s credibility has been damaged by the relative inertia that followed the elections”. Nevertheless, the party leader continues to command “deep grassroots support and remains the only recognisable public face of the opposition in and outside Zimbabwe.” Accordingly,

The challenge for Mr Tsvangirai is to use his still considerable popularity to steer the party towards unity, cohesion and firm action. That requires reassuring millions of disillusioned supporters and winning back the confidence of those who feel that the party has lost its willingness to confront the government.²⁰¹

Summarising the MDC’s overall position, the ICG comments:

The party is struggling to maintain unity across a number of strategic, leadership, ideological, ethnic and even generational fault lines – divisions that have made a coherent and consistent opposition approach in the post-election situation more difficult.²⁰²

VI Future prospects

Several recent developments are likely to be significant for the short- to medium-term political situation in Zimbabwe.

The Constitution of Zimbabwe Amendment (No. 17) Bill, 2005, was published in the Government Gazette on 15 July 2005.²⁰³ This includes several different proposed amendments to the Constitution.

- As anticipated, the Bill provides for the return to a bicameral legislature, with the restoration of the Senate as a second chamber. The Senate would have 66 members (five Senators elected in each of the ten provinces, plus the President and Deputy President of the Council of Chiefs, eight Chiefs elected by the Council of Chiefs to represent the eight non-metropolitan provinces, and six Senators appointed by the President, who will represent special interest groups).
- The Bill also confirms the acquisition of land for resettlement purposes under the 2000 Land Reform Programme, and provides for the future acquisition of

²⁰⁰ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?l=1&id=3499>

²⁰¹ *ibid.*

²⁰² *ibid.*

²⁰³ http://www.kubatana.net/docs/legisl/constitution_zim_amd17_050715.pdf

agricultural land for resettlement and other purposes. The provisions are reported to empower the State to seize land without compensation, and to bar legal challenges against land acquisition by the State.²⁰⁴

- The Bill seeks the power to restrict freedom of movement, both within the country and abroad, in the interests of national security.

The Bill is expected to come before Parliament shortly.

Following the recent talks with South Africa on financial assistance to Zimbabwe, there has been speculation that such help might be made conditional on the Government's agreement to political dialogue with the MDC, which was a recommendation of the UN Special Envoy's report. However, President Mugabe has repeatedly ruled out such talks. It was announced on 10 August 2005 that the Chairman of the African Union, President Obasanjo of Nigeria, had appointed the former President of Mozambique, Joaquim Chissano, as his "special representative" to Zimbabwe, but no details of his duties have yet been given.²⁰⁵

Assessing the overall post-election situation, the International Crisis Group commented:

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.

The MDC must decide 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.²⁰⁶

Some analysts have suggested that widening rifts within the MDC and growing public disillusionment with ZANU-PF are promoting the emergence of a new opposition party in Zimbabwe. Before the March 2005 election there were press reports of moves towards the creation of a third political movement, involving former Information Minister Jonathan Moyo, who now sits in Parliament as an independent and is highly critical of the Government. The nucleus of the new movement was reportedly a grouping of independent political candidates and "high-profile dissenters" from ZANU-PF, with support from the chairman of the powerful War Veterans Association. Its common platform was said to include demands for voting by secret ballot, voting rights for Zimbabweans who have left the country, popular elections of premiers and a senate, and a campaign against government bureaucracy.²⁰⁷

²⁰⁴ ZimOnline, 29 July and 5 August 2005

²⁰⁵ IRIN News, 14 August 2005

²⁰⁶ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?l=1&id=3499>

²⁰⁷ "Sacked minister Moyo forms 'third force' to fight Mugabe", by Paul Lord, *Sunday Telegraph*, 6 March 2005

In a recent article in the *Zimbabwe Independent*, Mr Moyo referred to “a new all-inclusive third way beyond current party boundaries, the so-called third force which in fact is a people’s movement “, and he called for the President’s early resignation, arguing:

Inter-party negotiations or appointment of able and dynamic potential successors are no longer viable options for Mugabe not only because Zimbabwe has now reached a point of no return to Zanu PF but also because the required critical solution must focus not just on Mugabe but also, and more importantly, on Zanu PF itself where there is internal dictatorship, institutionalised patronage and refusal to reform.

This leaves Mugabe with one real option that he must now exercise: to resign in terms of the constitution of the land and to allow Zimbabweans to choose a constitutional successor now. The nation is bleeding and it would be very irresponsible to expect Zimbabweans to wait until 2008 for the presidential election.²⁰⁸

Professor Stephen Chan argued, with reference to a possible split in the MDC:

Curiously, a growing number of opposition parties may persuade Mugabe to reintroduce greater semblances of tolerance. Only a united threat is an actual threat. Without real rivals, Mugabe could use the new plurality as an overture for reacceptance into international life.

He added, however:

Any such tolerance of new choices must be seen against the backdrop of an entire raft of recent legislation. New forces, if indeed they emerge, will be able to do little of any consequence. The ruling party and the President will be insulated by laws that make organised defiance, or even the expression of sustained objections, a venture into a legal minefield. (...) In Zimbabwe’s case, the rule of law and order means the rule of law that protects the existing order – even if the name of the president does change.²⁰⁹

The way ahead for Zimbabwe in the aftermath of the 2005 election is not yet clear. However, the International Crisis Group commented:

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 actors should push for a credible earlier date.²¹⁰

²⁰⁸ “Why Mugabe should go now”, by Jonathan Moyo (originally published in the *Zimbabwe Independent*), <http://www.newzimbabwe.com/pages/sky90.12869.html>

²⁰⁹ Stephen Chan, “The old fox eludes the hunt”, *World Today*, April 2005

²¹⁰ International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005, <http://www.crisisgroup.org/home/index.cfm?id=3499&CFID=1057159&CFTOKEN=13025501>

Appendix I – Further Reading

Amnesty International, *Zimbabwe: an assessment of human rights violations in the run-up to the March 2005 parliamentary elections*, March 2005:

<http://web.amnesty.org/library/print/ENGAFR460032005>

Stephen Chan, "The old fox eludes the hunt", *World Today*, April 2005

Human Rights Watch, *Not a level playing field: Zimbabwe's Parliamentary Elections in 2005*, Human Rights Watch Briefing Paper, 21 March 2005:

<http://hrw.org/backgrounder/africa/zimbabwe0305/index.htm>

International Crisis Group, *Post-election Zimbabwe: what next?* Africa Report No. 93, 7 June 2005. Executive Summary and Recommendations, with a link to the full Report (34 pages):

<http://www.crisisgroup.org/home/index.cfm?id=3499&CFID=1057159&CFTOKEN=13025501>

[The Executive Summary includes recommendations on the way ahead for Government, Opposition and external parties]

International Crisis Group, *Zimbabwe's Operation Murambatsvina: the Tipping point?* Africa Report No. 97, 17 August 2005 (32 pages).

<http://www.crisisgroup.org/home/index.cfm?l=1&id=3618>

International Institute for Strategic Studies (IISS), "Zimbabwe: Mugabe's impunity", *Strategic Survey* 2004/05 (May 2005), pp271-81

Greg Mills, "Regime change or change within the regime? Assessing policy performance and options on Zimbabwe", *RUSI Journal*, June 2005

[The author is Director of the Brenthurst Foundation, a South Africa-based NGO think-tank dedicated to improving African economic performance. The article focuses on South African policy towards Zimbabwe and the policy options for other external actors, but includes "Future Zimbabwean scenarios and policy options"].

Report of the Fact-Finding Mission to Zimbabwe to assess the Scope and Impact of Operation Murambatsvina, by the UN Special Envoy on Human Settlements Issues in Zimbabwe, Mrs Anna Kajumulo Tibaijuka, UN-HABITAT, 18 July 2005. Press release, with a link to the full Report (100 pages):

http://hq.unhabitat.org/zimbabwe_report_2005.asp

US Department of State, *Country report on human rights practices in Zimbabwe - 2004*, released February 2005: <http://www.state.gov/g/drl/rls/hrrpt/2004/41634.htm>

Zimbabwe Election Support Network, *Report on Zimbabwe's 2005 General Election*, April 2005, Link from: <http://www.zesn.org.zw/>