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Zimbabwe

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Zimbabwe

Summary

Zimbabwe's prospects appeared promising in 1980, as it gained independence after a long liberation war. The country exhibited steady economic growth, enabling the new government to provide free education and widespread access to health care. Challenges grew in the 1990s, however. Rising inflation and unemployment bred discontent, as evidenced by regular student and labor protests, and led in 1999 to the formation of the opposition Movement for Democratic Change (MDC). The new party surprised many with its initial success, campaigning against a 2000 referendum that would have legalized the president's continued rule, made government officials immune from prosecution, and allowed the uncompensated seizure of white-owned land for redistribution to black farmers. The referendum failed, and the MDC won nearly half the seats in the 2000 parliamentary election. The ruling party has since taken numerous, often undemocratic actions to bolster its power, including an aggressive land redistribution policy.

President Robert Mugabe's government is seen as autocratic and repressive by its critics, and its human rights record is poor. The regime suppresses freedom of speech and assembly, and many contend that the government restricts access to food, already scarce, in opposition areas. The MDC, divided over how to respond, split into two factions in 2005, hampering its ability to challenge the ruling party. Mugabe has repeatedly extended his rule and has been chosen by his party to stand as its presidential candidate again in the upcoming 2008 elections. A behind-the-scenes succession power struggle within his party adds to questions regarding the country's future.

Zimbabwe's economic output has decreased 40% since 1998, inflation rose above 8,000% in 2007, and unemployment is estimated at more than 80%. A widely criticized urban cleanup program in 2005 resulted in the demolition of thousands of homes and businesses in poor urban areas, seen by the government as a base of MDC support. The adult HIV infection rate of 20% has contributed to a sharp drop in life expectancy, and more than a third of the population is expected to require food aid in 2008. Deteriorating conditions in the country have led many Zimbabweans to emigrate to neighboring countries, creating a substantial burden on the region.

President Mugabe has enjoyed considerable popularity in Africa as a former liberation leader. However, some African leaders have come to see his conduct as damaging to the continent and are urging democratic reforms. South Africa has pursued "quiet diplomacy" aimed at resolving the problems in Zimbabwe through dialogue between the government and opposition, but many view this policy as ineffective. Following controversial elections in 2000 and citing abuses of human rights and the rule of law, the United States and other former allies of the government have become vocal critics. The U.S. Secretary of State has labeled Zimbabwe an "outpost of tyranny," and the United States has enforced targeted sanctions against top Zimbabwe officials and associates since 2002. This report includes recent developments and reactions from the international community, including those of the United States. This report will be updated as events warrant.

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Recent Developments

With official inflation[1] rising above 8,000% in the third quarter of 2007, Zimbabwe's economy continues to collapse, and the outlook for its people remains grave. Zimbabwe received international media attention for the March 11, 2007, crackdown on opposition and civil society activists, during which one opposition supporter was shot and killed by police. Opposition leader Morgan Tsvangirai and several others allegedly received severe beatings by police following their arrest. Tsvangirai and others were accused of violating a three-month ban on public protests instated by the Zimbabwean government in mid-February. They were released into the custody of their lawyers days after the arrest. Two opposition officials who were arrested were later allowed to go to South Africa to receive medical treatment for their injuries. According to media reports, police initially refused to allow their departure, and another opposition official, Nelson Chamisa, was allegedly beaten at the airport when he tried to leave the country. Tsvangirai was detained again, along with other party members, for several hours on March 28 in a police raid on the opposition headquarters.

International criticism of the situation in Zimbabwe has grown, even among former allies on the continent. In one of the most critical statements from African leaders, Zambia's President Levy Mwanawasa compared the country to "a sinking Titanic whose passengers are jumping out to save their lives."[2] One of South Africa's Deputy Foreign Ministers told the South African parliament, "The South African government wishes to express its concern, disappointment, and disapproval of the measures undertaken by the security forces in dealing with the political protests," blaming the current situation on an "absence of open political dialogue."[3] Southern African Development Community (SADC) leaders convened an emergency summit on March 28. Some analysts have argued that mediation by SADC may be the best vehicle to resolve the crisis.[4]

Given the strong statements made by some southern African leaders, many observers expected the SADC heads of state to increase pressure on Mugabe to make

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[1] The Zimbabwean government's chief statistician announced in November 2007 that they could no longer calculate the official inflation rate because government price controls have left store shelves largely empty. "Zimbabwe Statistician Says Lack of Goods Hinders Inflation Calculations," *VOA News*, November 28, 2007.

[2] "Zimbabwe 'A Sinking Titanic,'" *Financial Times*, March 22, 2007.

[3] "RSA Parliamentarians Urge Stronger Action Against Zimbabwe," *South African Press Association*, March 28, 2007.

[4] The International Crisis Group, *Zimbabwe, An End to the Stalemate?*, March 5, 2007.

reforms. Reports suggest that in private the leaders may have been tough on the Zimbabwean president, who was in attendance, but their public response was deemed disappointing by human rights activists and critics of the regime.[5] During the summit, the SADC leaders resolved to promote dialogue within the country, at the same time suggesting that western countries should drop their sanctions against the Mugabe government and that Britain should provide funding to assist in land reform efforts. South African President Thabo Mbeki was appointed to mediate between the Zimbabwean government and the opposition. Mbeki has insisted he is not in favor of regime change and is pushing instead for democratic elections, saying "you might question whether these elections are genuinely free and fair ... but we have to get the Zimbabweans talking so we do have elections that are free and fair."[6] In June 2007, South Africa initiated talks between the Mugabe Administration, represented by the country's Ministers of Labor and Justice, and the two MDC factions, represented by their respective Secretary-Generals, in Pretoria. The negotiations have continued, and reports suggest that the parties have reached agreement on several points, although key political hurdles remain.[7]

Should the SADC leaders prove unable to resolve the crisis diplomatically, political violence in the country could escalate. The government has announced that police are authorized to use live ammunition to counter violence,[8] and there have been numerous reports that the government has armed militias to harass opposition supporters.[9] According to one Zimbabwe-based human rights organization, though, the large majority of recent political violence incidents have been carried out by police, intelligence, and army personnel.[10] Prior to the beginning of the negotiations, the Mugabe Administration accused the opposition of being responsible for a series of bombings targeting shops, trains, and police stations, although some observers suggest the attacks were an attempt to frame the MDC.[11] According to human rights activists and the U.S. Department of State, political violence against opposition leaders and supporters continues in spite of the ongoing negotiations in South Africa. Harassment of university students by police has also reportedly increased. On November 22, 2007, 22 members of the National Constitutional Assembly, a

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[5] "Zimbabwe Crisis Deepens," *Voice of America,* April 6, 2007.

[6] "Mbeki Rejects Regime Change," *Financial Times,* April 2, 2007.

[7] The Opposition's key demands include the dissolution of laws limiting freedoms of speech and assembly, as well as the cessation of political violence, according to "Brinksmanship Over Constitutional Talks," *IRIN,* November 26, 2007.

[8] "Warren Park Supermarket Petrol-Bombed," *The Herald,* March 26, 2007.

[9] "Mugabe Thugs on Rampage to Cripple All Opposition," *Daily Telegraph,* March 24, 2007, and "Despot Dresses His Thugs as Police," *The Australian,* March 26, 2007.

[10] Solidarity Peace Trust, *Destructive Engagement: Violence, Mediation, and Politics in Zimbabwe*, Johannesburg, July 10, 2007.

[11] The government's allegations are outlined in two reports produced by the Zimbabwe Republic Police, *Opposition Forces in Zimbabwe: A Trail of Violence* and *Opposition Forces in Zimbabwe: The Naked Truth, Volume 2*,available at [http://www.moha.gov.zw/]. The Zimbabwe Human Rights NGO Forum has refuted the government's claims in a special report, *At Best a Falsehood, At Worst, A Lie,* August 2007, available at [http://www .hrforumzim.com].

pro-democracy civil society organization, reportedly sustained severe beatings during a peaceful protest set to coincide with a visit by President Mbeki to Harare.[12]

The two factions of the main opposition party, the Movement for Democratic Change (MDC), which split in 2005, remain divided. Despite rumors of dissatisfaction with Mugabe's continued rule from within his own party, the party's central committee voted in late March 2007 to nominate Mugabe to be the party's candidate in the 2008 elections. The committee also supported a resolution to hold all elections (presidential, parliamentary, and local council) at the same time in March 2008, and to reduce the terms for all public offices from six to five years. In addition, they voted to back efforts to increase the number of parliamentarians from 150 to 210 and the number of senators from 66 to 84.[13] Critics contend that these proposals represent an attempt to manipulate the electoral process through gerrymandering, with the new constituencies created in rural areas where the ruling party has the strongest support.[14] ZANU-PF also proposed to allow the parliament to select a new president if the sitting president resigns, is incapacitated, or dies in office.[15] Analysts suggest that Mugabe may not intend to serve an entire term if re-elected, instead planning to resign mid-term and use parliament to hand-pick his successor.[16]

The proposals were included in a controversial Constitutional Amendment Bill, which, to the surprise of many observers, was passed by the parliament in September 2007 with the support of MDC MPs. The final version of the legislation, did, however, include some changes seen as concessions to the opposition, and reports suggest that the MDC's support of the legislation came as a result of progress in the negotiations in South Africa. Some analysts suggest Mugabe may make further concessions in the negotiations, possibly including some amendments to legislation restricting political freedoms, to demonstrate that the government's commitment to the talks before the EU-Africa summit in Lisbon, Portugal in December 2007.[17]

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[12] Press Statement of U.S. Department of State Spokesman Sean McCormack, "Zimbabwe: Civil Society Organization Beatings During President Mbeki's Visit," November 26, 2007.

[13] Text of report on Zimbabwean Radio, "Zimbabwe Ruling Party Endorses Mugabe Candidacy for 2008 Elections," *BBC Monitoring,* April 1, 2007.

[14] "Zimbabwe Ruling Party Accused of Manipulating Electoral Process," *Voice of America,* April 18, 2007.

[15] "Mugabe Said Planning to Amend Constitution Over Possible Mid-Term Resignation," *Financial Gazette,* April 13, 2007.

[16] Dumisani Muleya, "Mugabe's Latest Survival Strategy,"*Zimbabwe Independent,* April 6, 2007.

[17] "This Time I'm Going, No, Really," *Africa Confidential,* Vol. 38, No. 23, November 16, 2007.

Background[18]

After years of economic sanctions by the international community and a decades-long civil war that resulted in more than 30,000 dead, the white minority rule government of Southern Rhodesia concluded a series of agreements with the black majority in 1979 that resulted in the establishment of the government of the Republic of Zimbabwe. Among the greatest challenges facing the new government was the demand by the majority for greater equity in land distribution.[19] At independence, the white minority, who composed less than 5% of the population, owned the vast majority of the arable land. Many observers considered the country's white-owned commercial farms crucial to the country's economy, although there was a general recognition that land reform was necessary. Britain initially funded a "willing buyer, willing seller" program to redistribute commercial farmland, offering compensation to white farmers amenable to leaving their lands.

Dissatisfaction with the pace of land reform grew and led in the 1990s to spontaneous and often violent farm invasions. At the same time, the country's labor movement and a segment of its urban middle class were becoming increasingly critical of the government's economic performance. Facing rising political and economic challenges, the government of Zimbabwe began to implement aggressive land expropriation policies, leading Britain and other donors to begin withdrawing financial support for resettlement.

In 2000, the government held a referendum to approve changes to the constitution that would allow land seizures without compensation, a responsibility that in its view lay with Britain. The referendum was rejected by 55% of voters and was seen as a victory for a new opposition party, the Movement for Democratic Change (MDC). Within days of the vote war veterans and ruling party supporters moved onto an estimated 1,000 white-owned farms, and, months later, the President invoked emergency powers to take land without compensation. During this time there were numerous attacks against white farmers and their employees, as well as against supporters of the MDC; more than 30 people were killed.

Since then, the country's problems have deepened. Substantial political violence and human rights violations accompanied parliamentary elections in 2000 and 2005 and the presidential election in 2002. There are continuing reports of human rights abuses and of food being used as a political weapon. Zimbabwe's political difficulties have been accompanied by a sharp decline in living standards, with more than 80% of the population living on less than $2 per day.[20] Once touted as a potential "breadbasket of Africa," much of Zimbabwe's population is now dependent on food aid. More than 20% of adults in Zimbabwe are infected by the HIV/AIDS virus, and life expectancy fell from an estimated 56 years in 1990 to 39

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[18] This report was originally authored by Raymond W. Copson and Jeffrey Townsend.

[19] For more information on Zimbabwe's land redistribution issue and other historical context, see CRS Report RL31229, *Zimbabwe Backgrounder*, by Raymond Copson.

[20] Department for International Development (DFID), *Country Profile: Zimbabwe*, December 2006.

in 2007.[21] In fact, according to the World Health Organization (WHO), the life expectancy for Zimbabwean women is just 34, the lowest in the world. Foreign Policy magazine has ranked Zimbabwe fourth in its index of failed states.[22] Observers are concerned that the difficulties confronting Zimbabwe are affecting neighboring countries and deterring investors from the region.

Zimbabwe at a Glance

Population: 12.3 million (2007 estimate)
Approximate size: Slightly larger than Montana
Population growth rate: 0.595% (2007 estimate)
Life expectancy at birth: 39.5 years (2007 estimate)
Ethnic groups: African 98% (Shona 82%, Ndebele 14%, other 2%), Mixed and Asian 1%, White less than 1%
Languages: English (official), Shona, Sindebele and a number of tribal dialects.
Literacy: *Total Population:* 90.7%
Male: 94.2%
Female: 87.2% (2003 est.)
GDP real growth rate: -4.4% (2006 est.)
GNI Per Capita (Atlas Method): $350
HIV Infection Rate: 20.1% (adults, aged 15-49; 2006 est.)
Unemployment: 80% (2005 est.)
Industries: Mining (coal, gold, nickel, tin, clay, numerous metallic and nonmetallic ores), steel, wood products, cement, chemicals, fertilizer, clothing and footwear, foodstuffs, beverages.

Sources: CIA World Factbook 2006; Economist Intelligence Unit, *Zimbabwe Country Report*, September 2006; United Nations Joint Program on HIV/AIDS (UNAIDS)

Political Situation

Zimbabwe has been ruled since independence by the Zimbabwe African National Union-Patriotic Front (ZANU-PF), which has come under increasing scrutiny from human rights activists, both at home and abroad. Critics cite high levels of corruption, political violence, and strictly enforced laws restricting basic freedoms. The government contends its detractors have engaged in a "propaganda war" backed by Britain and the United States, using democracy and human rights as a cover to push for regime change.[23] Many domestic and international observers have judged

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[21] UNAIDS, *UNAIDS Report on the Global AIDS Epidemic 2006*, and CIA, *CIA World Factbook 2007*.

[22] The Washington-based *Foreign Policy* magazine uses 12 economic, social, political, and military indicators to rank countries in order of their "vulnerability to violent internal conflict and social dysfunction." Zimbabwe's ranking on the index dropped 14 points from 2005 to 2006, and another point in 2007 suggesting the country's situation has deteriorated. For more information, see "The Failed States Index," *Foreign Policy*, May/June 2007.

[23] "Imperialists Can't Preach Human Rights," *The Herald*, January 19, 2007.

elections since 2000 to be "far from free and fair." Zimbabweans also appear disenchanted with the electoral process; voter turnout in the 2005 elections for the new Senate was less than 20%. The country's main opposition party, the Movement for Democratic Change (MDC), split over tactical issues in 2005, and although there have been attempts at reconciliation, the party remains divided. The ruling party has also suffered internal competition, and some observers suggest opposition to President Mugabe himself has grown within the party. The timing of a political transition in Zimbabwe, and the means by which it will occur, cannot be predicted, but with Mugabe in his 80s, it appears inevitable.

Parliamentary Elections 2005

Zimbabwe held its most recent legislative elections in 2005. The elections, like those before them in 2000 and 2002, were controversial, with the opposition disputing the results and alleging government efforts to deny a fair race. ZANU-PF retained control of the 150-member parliament, taking 108 seats (of these, 30 are appointed by the President rather than elected). The opposition MDC won 41 seats, and one seat went to an independent.[24]

The MDC's representation in parliament has declined since 2000, when it won 57 seats in its first elections. Some observers argue that the MDC did not do as well in the 2005 election because it delayed a decision to participate until December 2004, leaving little time to campaign. Violence against MDC voters in past elections, and the alleged use of food distributions by the ruling party to secure votes, and a general climate of intimidation may have also discouraged MDC support. Government supporters suggest voters simply lost faith in MDC promises.

Opposition access to the state-run media was severely limited, according to Reporters Without Borders, a Paris-based organization that supports press freedom.[25] The MDC was rarely covered on television or in the *Herald*, the government-controlled newspaper, and the stories that did appear were typically disparaging.

Election-Related Violence. Although most observers agree that the level of political violence surrounding the 2005 elections was significantly less than that which preceded the 2000 and 2002 elections, many argue the election was not "free and fair," and that there were some incidents of violence. Critics suggest that state harassment of civil society and the political opposition, combined with limitations on press and other political freedoms, left little need for violent repression. Nevertheless, the Zimbabwe Human Rights NGO Forum, a coalition of 17 human rights organizations, reported more than 300 assaults in the pre- election period.[26]

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[24] Jonathan Moyo, former Information Minister, left ZANU-PF and was elected as an independent candidate.

[25] Reporters Without Borders, "No Letup in Abusive Media Tactics Three Weeks Before Legislative Elections," March 8, 2005.

[26] Zimbabwe Human Rights NGO Forum, *Political Violence Report, March 2005.* The forum produces monthly reports on the human rights situation in Zimbabwe and assists (continued...)

Charges of Election Rigging. Many analysts argue that the Zimbabwean political system is undemocratic because elections are administered by institutions and under laws that many consider biased in favor of the ruling party. In response to democratic protocols established by the Southern African Development Community (SADC), the government passed the Zimbabwe Electoral Commission (ZEC) Act and the Electoral Act prior to the 2005 elections. However, the new "independent" ZEC, appointed by the president, was only established two months before the election, leaving many of the preparations to the old Electoral Commission, which many considered discredited by its past performance. According to the U.S.-based democracy advocacy group Freedom House, "despite some improvements, the Electoral Act granted the ZEC powers to employ security forces, retained biased residency requirements for voters, denied most expatriates the right to vote, and created an Electoral Court staffed by a deeply compromised judiciary."[27]

The Mugabe government has employed other legal tactics seen by critics as designed to intimidate the opposition and produce a political landscape favorable to ZANU-PF. The 2004 gerrymandering of constituencies, which the government attributed to population shifts arising from its land reform program, resulted in the redistricting of three urban seats held by the MDC into three new rural constituencies, which ZANU-PF candidates won in 2005. The International Council of Barristers and Advocates described extensive efforts by ZANU-PF to gain control over the legal system in a 2004 report, suggesting the ruling party has interfered in judicial appointments and forced the removal of impartial judges "through a combination of psychological and physical intimidation and threats of violence."[28]

The MDC has challenged the results of 16 races in court, claiming that the election was rigged. Their allegations focus on several largely rural districts in which the ZEC announced voter turnout totals before the vote results were reported. Once the results came in, the ZANU-PF candidate won in each case, but the vote for the two candidates added together exceeded the initial ZEC-reported turnout total. This created a suspicion that additional votes had been given to the ZANU-PF candidates during the tabulation phase to prevent MDC victories. The ZEC eventually halted the release of turnout totals, so it is not known if there were similar discrepancies in other districts. According to the ZEC, they had initially released early totals coming in to provide an indication of voter turnout, and the discrepancies between those initial figures and the final tallies were due to poor communications from rural areas. Other opposition allegations focus on large numbers of voters were reportedly turned away by poll officials for alleged registration problems, which seem to have been more common in contested areas than in districts regarded as safe for ZANU-PF.

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[26] (...continued)
victims of violence. See [http://www.hrforumzim.com].

[27] Freedom House, "Country Report: Zimbabwe," *Freedom in the World 2006*.

[28] International Council of Barristers and Advocates, *The State of Justice in Zimbabwe*, December 2004. The Council sent an investigative team to Zimbabwe which included Chairmans of the Bar of England and Wales and the Irish Bar, and Vice Chairman of the South African Bar.

Although none of the 2005 results have been overturned, a July 2006 Zimbabwean supreme court decision could give the opposition further legal recourse. Against the arguments of the chief justice, the attorney-general, and the justice minister, the court ruled that the judicial appointment of commissioners to the electoral court was unconstitutional and violated the principle of separation of powers. Legal experts suggest this ruling could reopen the MDC's petitions, as well as a challenge by a former MDC MP who was disqualified from the race in 2005.[29]

Election Observers. Many domestic election observers, such as the Zimbabwe Lawyers for Human Rights (ZLHR) and the Zimbabwe Election Support Network (ZESN), were critical of the elections. During the pre-election period, they cited a lack of transparency surrounding voter registration as a "significant and serious threat to the overall credibility of the electoral process." Their reports cited no incidents of overt political violence, but noted the pre-election period was marked by intimidation, "politicization of food distribution," and a lack of media access by the opposition. The observers contended they were restricted access to the vote counting process at many polling stations, and that in some cases the total voter tally did not coincide with the total number of votes cast for the candidates.[30] Both groups reported the use of POSA, MOA, and AIPPA throughout the election period against opposition supporters. The ZLHR report concluded, "Zimbabwean authorities have failed, on most accounts, to ensure a free and fair electoral process."[31]

The Mugabe regime placed limits on foreign observers for the election. No U.S. observers were invited, and Russia was the only European country asked to send a team. Leading the Southern African Development Community (SADC) delegation, South African Deputy President Mlambo-Ngcuka congratulated Zimbabwe on "the holding of a peaceful, credible, well managed and transparent election. The people of Zimbabwe have expressed their will in an impressively instructive manner that will go a long way in contributing to the consolidation of democracy and political stability not only in Zimbabwe, but also in the region as a whole."[32] The head of South Africa's parliamentary observer mission was quoted saying that the delegation had "unanimously agreed that the elections were credible, legitimate, free and fair."[33] Both statements received substantial criticism in the international press. The SADC Parliamentary Forum, which consists of legislators from the region and had issued a report critical of the 2002 election, was not invited to observe the vote.

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[29] "Zimbabwe Court Rules 2005 Electoral Legislation 'Inconsistent' with Constitution," *The Financial Gazette*, July 27, 2006.

[30] ZESN, *Report on Zimbabwe's 2005 General Election*, April 2005. The ZESN, a coalition of 35 human rights and civic groups based in Zimbabwe, deployed 260 long-term observers and 6000 observers for the election itself.

[31] The report of the ZLHR,a local human rights organization that deployed 44 observers for the election, is available at [http://www.zlhr.org.zw].

[32] "Zimbabwe's Enabler; South Africa Falls Short as Monitor of Democracy," *Washington Post*, April 4, 2005.

[33] "The Real Fraud in Zimbabwe," *Washington Times*, April 6, 2005.

Western governments condemned the elections. Based on reports from domestic observers and U.S. Embassy staff who were allowed to observe the election, U.S. Secretary of State Condoleezza Rice issued the following statement:

> Although the campaign and election day itself was 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.[34]

U.N. Secretary-General Kofi Annan commended the election's lack of violence but noted concern that "the electoral process has not countered the sense of disadvantage felt by opposition political parties who consider the conditions were unfair."[35]

Restrictions on Political Freedoms

Legislative actions in the ZANU-PF-dominated parliament have raised concerns about human rights in Zimbabwe. Laws that critics contend are used to quiet dissent and influence political developments include the following:

- **The Access to Information and Protection of Privacy Act (AIPPA).** This 2002 Act requires that all media services be licensed by the government, and that all journalists, including foreign correspondents, be officially accredited. The government, citing AIPPA, closed *The Daily News*, the only remaining independent daily, in 2003. In 2005, three Zimbabwean correspondents for the Associated Press, Bloomberg News, and the *Times* of London, fled Zimbabwe after police raided their office. The Media Institute of Southern Africa (MISA) has stated that AIPPA is "one of the most effective legal instruments of state control over the media and civil society communication anywhere in the world."[36] The government counters that AIPPA encourages responsible journalism.

- **The Public Order and Security Act (POSA), the Criminal Law (Codification and Reform) Act ("Criminal Law Code"), and the Miscellaneous Offences Act (MOA).** POSA, also enacted in 2002, prohibits any statements deemed to be "abusive, indecent, obscene, or false" about the president or considered to "undermin(e) public confidence" in the security forces, and prohibits false statements

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[34] The statement of Secretary Rice, made on April 1, 2005, is available online at [http://www.state.gov/secretary/rm/2005/44141.htm].

[35] Secretary-General Annan's statement is available at [http://www.un.org/News/ossg/].

[36] MISA, *Annual Report, April 2003-March 2004*; "Media Institute Says Press Restrictions in Zimbabwe Rule Out Fair Elections," *Voice Of America (VOA)*, April 5, 2004.

prejudicial to the state.[37] The measure, which the government suggests prevents anarchy, has been used in the arrest of thousands of political opponents and in police action to break up public meetings and demonstrations. Zimbabweans overheard criticizing the President in a public place have also been jailed. The MOA criminalized "conduct likely to cause a breach of the peace," and was often used with POSA against activists. Police and "persons assisting the police" may use "all necessary force" to stop unlawful gatherings.[38] In mid-2006 many offences under POSA and MOA were transferred to the new Criminal Law Code.

- **Non-Governmental Organizations (NGO) Bill and the Private Voluntary Organizations (PVO) Act.** The controversial NGO Bill, pushed through parliament in 2004 despite objections to its constitutionality, has not been signed into law by the President, although concerns remain about its future. The bill would have prohibited foreign NGOs from operating in Zimbabwe if their principal objectives include "issues of governance," which in turn include "the promotion and protection of human rights."[39] Domestic NGOs would have been prohibited from accepting foreign funds for activities involving issues of governance. Instead, the government uses the PVO Act, enacted in 2002. NGOs are required to register with the government, and a "probe team" of intelligence officers has wide powers to investigate groups and demand documents related to activities and funding. The African Commission on Human and Peoples' Rights has recommended that it be repealed.

The opposition has had some limited success in preventing the ruling party from passing other legislation that it contends would restrict freedoms. The government withdrew its Suppression of Foreign and International Terrorism Bill after accepting the contention that some provisions were unconstitutional, although a modified version was reintroduced in December 2006 and passed in June 2007. The original draft defined mercenary activity as "an act aimed at overthrowing a government or undermining the constitutional order, sovereignty or territorial integrity of a state."[40] Some charged it would allow the government to imprison critics. The government contended the legislation demonstrated its commitment to the fight against terrorism. The parliament has also debated legislation that would allow the government to monitor all Internet, email, and telephone communications for threats to national security. The Interception of Communications Bill, which had been stalled by the Parliamentary Legal Committee (chaired by an MDC MP), was revised and approved in June 2007. Critics suggest the revisions are cosmetic.

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[37] For the text of the POSA, see [http://www.kubatana.net/docs/legisl/posa060203.doc].

[38] Solidarity Peace Trust, *Policing the State*, December 2006.

[39] International Bar Association, "An Analysis of the Zimbabwean Non-Governmental Organizations Bill, 2004," August 24, 2004.

[40] The text of the original legislation can be found at [http://www.kubatana.net/docs/legisl/supp_foreign_int_terror_bill.doc].

In the 2005 elections ZANU-PF won over two-thirds of the seats in the House of Assembly, giving the party the power to amend the constitution. Since then, the parliament has passed several controversial constitutional amendments which some analysts contend breach international human rights standards. The Constitution of Zimbabwe Amendment Act (No.17), approved in 2005, allows the government to limit the right to freedom of movement when it is in "the public interest" or in "the economic interests of the State" and restricts the right to leave Zimbabwe. Several journalists, MDC officials, and union leaders have had their passports revoked under the act; the government has charged that they planned to lobby abroad for sanctions or military intervention against the country.[41] The act also creates a constitutional amendment that prevents land owners from challenging the acquisition of agricultural land by the state. It paved the way for the passage of Gazetted Land (Consequential Provisions) Act in late 2006, making it illegal for former farm owners to occupy land the government has nationalized and allowing the government to evict farmers and resettle the land without compensation. The constitutional amendment also revived the upper house of the parliament, the Senate, which was abolished in 1989.

2005 Senate Elections

Elections to the new 66-seat Senate were held in September 2005, and were marked by record low voter turnout. Of 26 MDC candidates who ran, seven were elected; ZANU-PF gained the overwhelming majority of seats. Observers suggest one of the reasons for the low turnout may have been a lack of solidarity on the part of the opposition, which split prior to the election over whether to boycott the vote.

Presidential Succession

In view of President Mugabe's advanced age, presidential succession a matter of intense interest to analysts. Some observers worry that Zimbabwe could experience a violent succession struggle or a possible military coup when he leaves the scene. Under the Zimbabwe constitution, the president may designate one of the country's two vice presidents to serve as acting president until the next election, should he leave office, but Mugabe has not done so. One of the vice presidential posts was vacant prior to the 2004 ZANU-PF party conference, setting off a power struggle that transformed the political scene by revealing internal party divisions.

Despite his age, President Mugabe is reportedly in good health and in no rush to relinquish his post. Many observers suggest he has used the country's anti-corruption authority to check the political ambitions of his party members, and almost all potential contenders have been linked to corruption scandals. The recent proposal to extend the next presidential elections to 2010, which Mugabe himself endorsed but was defeated by the ruling party's central committee, implies the President has no plans to pick a successor in the near future. Mugabe has been nominated by his party as its presidential candidate in the upcoming 2008 elections.

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[41] "Title Deeds to 4,000 Farms Nullified," *The Herald*, September 23, 2005.

Who Will Succeed Mugabe?

Prior to ZANU-PF's December 2004 party conference, Emmerson Mnangagwa, then speaker of the parliament and a political veteran long touted as Mugabe's heir, campaigned actively for the position of ZANU-PF's second vice president. His selection to that position would likely have assured his appointment by Mugabe as national vice president, but Mnangagwa was caught off guard when Mugabe decided that the country should have a woman in the post. Mugabe's choice for the position, Joice Mujuru, was inevitably elected by the party convention, and Mugabe swore her into office as Zimbabwe's second vice president. Mujuru, a veteran of the liberation war and a women's movement leader, had been serving as Minister of Water Resources and Infrastructure. Analysts differ on whether either Mnangagwa or Mujuru might be Mugabe's choice for an heir, or whether both might be pushed aside.

The outcome of any succession struggle will likely be affected by the country's ethnic and clan divisions. Mugabe and many key party and clan officials are from the Zezuru clan of the Shona people, who are dominant in a wide area encircling Harare, the country's capital. One of Mugabe's closest advisors, regarded as a king-maker, is retired General Solomon "Rex" Mujuru, a Zezuru and husband of Joice Mujuru. Mnangagwa was seen as a representative of the large Karanga clan, which reportedly felt that its turn to control the reins of power had come. Mnangagwa's viability as a presidential contender was hampered by accusations that he led the purge of alleged regime opponents in provinces of Matabeleland in the 1980s, which is believed to have resulted in the deaths of 20,000 Ndebele civilians. The events of the 1980s help to explain why Bulawayo has long been regarded as a center of opposition to the government, although Mugabe has sought to gain support in the region by elevating a number of Ndebele to party and government posts.

In any event, Mnangagwa's power has been reduced, as has that of a number of his backers, including the former minister of information, Jonathan Moyo. Moyo was fired in early 2005 for his sharp-tongued defenses of the regime and for picking spats with other ZANU-PF leaders. He deeply angered Mugabe by convening an unsanctioned meeting of Mnangagwa supporters before the party convention, allegedly to strategize on ways of derailing the Mujuru candidacy. Moyo left the party and ran as an independent in 2005.

According to reports, neither the Mnangagwa nor Mujuru camps supported Mugabe's proposed term extension. Solomon Mujuru has been vocal in his disapproval and is rumored to have been pivotal in blocking the proposal at the party's national conference. Some have suggested that Mujuru might back another ZANU-PF official, Simba Makoni, Deputy Secretary for Economic Affairs, over his wife as a potential successor to Mugabe. Makoni, a technocrat, is considered by some analysts to be a potential compromise candidate, untainted by the corruption scandals that have plagued others. At present, the only politician to declare his interest in the presidency is ZANU-PF National Chairman John Nkomo, who is Speaker of the National Assembly and a Mugabe ally. Mugabe's own choice for his successor is unknown, but many suggest he might back Reserve Bank Chairman Gideon Gono. Regardless, the party's decision to choose Mugabe as its candidate for the 2008 elections suggests the succession speculation will continue for the foreseeable future.

The Movement for Democratic Change (MDC)

Origins of the MDC. The MDC party rose from the Zimbabwe labor movement. As poverty deepened in Zimbabwe in the late 1990s, and allegations of corruption against regime leaders became more frequent, the Zimbabwe Congress of Trade Unions (ZCTU) organized a number of strikes and protests. In September 1999, the MDC was formed on this trade union base with support from many in Zimbabwe's churches and in urban areas. In February 2000, MDC members elected the ZCTU secretary general, Morgan Tsvangirai (CHANG-gerai), born in 1952, as MDC president, and union president Gibson Sibanda as MDC vice president.

The MDC proved formidable in the 2000 referendum and in the 2000 parliamentary election; some contend their success may have prompted a range of repressive actions against the party and its supporters. Among the retaliatory measures alleged, several leaders of the MDC, including Tsvangirai himself, were arrested and charged with treason two weeks before the MDC leader ran against Mugabe in the 2002 presidential elections.

Treason Charges. On October 15, 2004, Tsvangirai was acquitted of a treason charge based on a video recorded in Canada, which the government claimed showed him calling for the "elimination" of Mugabe. The verdict surprised many observers in view of the regime's perceived influence over the courts. The judge stated that the evidence had been unconvincing, with the witnesses produced by the state "suspect" and the video unreliable. The government can appeal the verdict, and Tsvangirai may be tried again because the law does not prohibit double jeopardy. In August 2005, the government dropped a second treason charge that had been based on claims that he urged violence to bring down the government in 2004.

Division in the Opposition. In late 2004, the MDC became increasingly divided in its strategy to defeat the Mugabe government. MDC officials initially decided that the party would not participate in the 2005 parliamentary campaign, unless the government took steps to assure a free and fair election. Several party members questioned this stance on grounds that non-participation would deprive the party of any influence in the next parliament. Some reportedly felt that a refusal to participate would hand control of parliament to Mugabe on a "silver platter." Tsvangirai supported a boycott, arguing that the elections should be postponed until substantial electoral reforms could be implemented. The party did eventually participate "under protest," but did not do as well as in previous polls.

In the months prior to the 2005 Senate elections, the MDC was once again divided on whether to participate. Supported by some civil society groups who suggested the elections were "meaningless" and "a waste of time and resources," Tsvangirai argued that participating in the Senate would legitimize previous "rigged" elections, and vowed instead to lead the opposition through mass action. He was opposed by a group of MDC politicians led by the party's secretary-general, Welshman Ncube, who had also been accused by the government of treason in 2003 (the charges were subsequently dropped), and Gibson Sibanda. In October, the party's national council voted 33-31 to participate in the election, but Tsvangirai overruled the vote and, reportedly in violation of the party's constitution, expelled 26 senior officials from the party. He announced the boycott, touring the country to

encourage voters to stay home. The Ncube faction refused to accept their expulsion and fielded candidates in the Senate race, although they gained only seven seats.

Both factions held party conferences in early 2006; Tsvangirai was confirmed as the leader of one faction, while Ncube ceded control of the "pro-senate" faction to Arthur Mutambara, a noted student leader in the 1980s. The two factions attacked each other in the press, and there were allegations that the Tsvangirai faction was behind a violent July 2006 assault on Member of Parliament (MP) Trudy Stevenson and several other Mutambara supporters. Stevenson identified the youths who attacked her as known followers of the former labor leader, but Tsvangirai has denied the charges and denounced the beatings. Although Tsvangirai's faction is reported to have the larger support base and the backing of the ZCTU, observers suggest neither faction will be effective unless they can resolve their differences and reunite behind a common candidate in the next presidential elections.

Opposition Defiance Against a Ban on Protests and Rallies. On February 22, 2007, the Zimbabwean government announced a three-month ban on political rallies and public demonstrations in Harare "due to the volatile situation in the country."[42] The MDC filed an appeal with the High Court to lift the ban, which coincides with an increase in public activity by the opposition and civic groups. On February 18, despite a High Court decision allowing Morgan Tsvangirai to launch his presidential campaign at a rally in Harare, police reportedly used batons and water cannons to break up the event. A rally planned by the Mutambara faction in Bulawayo was similarly dispersed, and numerous opposition supporters were arrested. The ban was announced three days later, and police subsequently arrested several hundred civic activists, according to press reports.

On March 11, 2007, police broke up a Save Zimbabwe Campaign prayer meeting attended by both Tsvangirai and Mutambara, arresting an estimated 50 members of the opposition and civil society, including both MDC leaders. Police shot and killed one opposition supporter after MDC youth reportedly began throwing stones at police. The following day, police arrested an estimated 240 opposition supporters during a demonstration protesting the March 11 crackdown. Media and human rights reports suggest that Tsvangirai was severely beaten while in custody, and he appeared in court on March 13 showing signs of head trauma.[43] Other opposition and civic leaders also reportedly sustained injuries after their arrest. The protestors were released into the custody of their lawyers on March 14 after prosecutors reportedly failed to appear at their court hearing. The Zimbabwean government contended that the MDC incited violence and was responsible for attacks on several civilian targets and a Harare police station.[44]

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[42] "Rally Ban a Fatal Govt Assault on Social Contract," *Zimbabwe Independent,"* March 2, 2007. The ban was lifted on June 29, 2007.

[43] "Zimbabwe Opposition Leader Taken to Hospital From Court," *CNN*, March 13, 2007, and "Mugabe Foes Vow to Intensify Action," *Washington Post*, March 13, 2007.

[44] "Zimbabwean Police 'Fire-Bombed,'" *BBC*, March 15, 2007.

The March 11 incident spurred international media attention and has drawn considerable criticism from many world leaders. U.S. Secretary of State Condoleezza Rice issued a strong statement, saying, "The world community again has been shown that the regime of Robert Mugabe is ruthless and repressive and creates only suffering for the people of Zimbabwe."[45] U.N. Secretary-General Ban Ki-moon also condemned the "reported beating of those leaders in police custody" and criticized the ban, noting that "such actions violate the basic democratic right of citizens to engage in peaceful assembly."[46] Several of Zimbabwe's neighbors, including South Africa and Zambia, issued statements of concern regarding the incident, and Ghanaian President John Kufuor, who serves as president of the African Union, called the event "very embarrassing."[47]

Political Violence

Human rights groups have documented numerous accounts of political violence in recent years. According to Freedom House, "Zimbabwe's descent into the ranks of the world's most repressive states continued unabated."[48] The State Department reports that Zimbabwe's government has "engaged in the pervasive and systematic abuse of human rights,"and contends that "the state sanctioned the use of excessive force and torture, and security forces tortured members of the opposition, union leaders, and civil society activists."[49] Amnesty International is similarly critical:

> The human rights situation continued to deteriorate, in a context of escalating poverty. Freedom of expression, assembly and association continued to be curtailed. Hundreds of people were arrested for participating or attempting to engage in peaceful protest. Police were accused of torturing human rights defenders in custody. The situation of thousands of people whose homes were destroyed as part of Operation Murambatsvina (Restore Order) in 2005 continued to worsen, with no effective solution planned by the authorities. The government continued to obstruct humanitarian efforts by the UN and by local and international non-governmental organizations.[50]

President Mugabe has repeatedly condoned police and military brutality against Zimbabwean citizens. In August 2006, during Heroes' Day, a holiday honoring war veterans, Mugabe warned that his security forces "will pull the trigger" against protesters.[51] A month later, in an incident caught on video, Zimbabwean police conducted a particularly violent crackdown against leaders of the Zimbabwe Congress of Trade Unions (ZCTU), who had planned a civic protest to highlight the

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[45] Statement of U.S. Secretary of State Condoleezza Rice, "Call for Immediate Release of Zimbabwean Opposition Leaders," on March 13, 2007.

[46] Statement issued by the Spokesman of the U.N. Secretary General on March 12, 2007.

[47] "Zimbabwe Leader Faces Growing Condemnation," *Associated Press,* March 15, 2007.

[48] Freedom House, "Country Report: Zimbabwe," *Freedom in the World 2006: The Annual Survey of Political Rights and Civil Liberties*.

[49] DOS, "Zimbabwe," *Country Reports on Human Rights Practices 2006*.

[50] Amnesty International (AI), "Zimbabwe," *Annual Report 2007*.

[51] "Threat by Mugabe," *New York Times*, August 16, 2006.

impact of inflation on the country's citizenry. Mugabe sanctioned the police action, saying, "Some people are now crying foul that they were assaulted, yes you get a beating … when the police say move, move, if you don't move, you invite the police to use force."[52] Subsequent mass ZCTU protests were not held.

Mugabe received international attention for his statement; the U.N. Country Team (UNCT) in Zimbabwe announced "a profound sense of dismay" over comments that "might be interpreted as condoning the use of force and torture to deal with peaceful demonstrations by its citizens."[53] The U.N. Special Rapporteur on Torture[54] has repeated a 2005 request for an invitation from Zimbabwe to investigate, and the Harare magistrate who heard the case against the ZCTU leaders has ordered an independent investigation into the allegations of police brutality.

The U.N. Rapporteur may have several other cases to investigate — the Zimbabwe Human Rights NGO Forum reports that there 549 incidents of torture from January through October 2007, as well as 812 incidents of assault and 19 incidents of politically motivated abduction/kidnapping.[55] These figures suggest an marked increase in political violence from the year 2006, during which there were 368 incidents of torture, 509 incidents of assault, and 11 incidents of politically motivated abduction/kidnapping.[56] Human rights activists suggest that abductions and beatings of opposition supporters appear to be "more systematic and widespread" since the events of March 2007.[57]

Some reports suggest the government may be having difficulty paying its police and security forces, which rights activists infer could eventually affect their willingness to suppress protests with violence or conduct other alleged rights violations. Nevertheless, reports suggest that police still play a significant role in political violence. The Geneva-based International Commission of Jurists, which sent a fact-finding mission to Zimbabwe to investigate the May 2007 detention and beating of lawyers, expressed shock at the role police played in the attacks and at the "cavalier response of Zimbabwean authorities."[58]

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[52] See Mugabe's statement as part of an article from the government-owned newspaper, *The Herald* at "Zimbabwe Press Review for 25 Sep 06", *BBC Monitoring Africa*, September 25, 2006.

[53] "U.N. Slams President Mugabe," *Zimbabwe Independent*, September 29, 2006.

[54] The post of Rapporteur was created by the U.N. Commission on Human Rights in 1985 to investigate questions relating to torture. For information on the Rapporteur's mandate, see [http://www.ohchr.org/english/issues/torture/rapporteur/index.htm].

[55] Zimbabwe Human Rights NGO Forum, *Political Violence Report, October 2007*.

[56] Zimbabwe Human Rights NGO Forum, *Political Violence Report, December 2006.*

[57] "Zimbabwe Leaders Accused of Abducting Opponents," *New York Times*, March 29, 2007.

[58] For more information, see the Mission's report at [http://www.icj.org].

Humanitarian Situation

Operation *Murambatsvina*

In May 2005, the Government of Zimbabwe initiated Operation *Murambatsvina* (variously translated as "Restore Order" or "Clean Out the Filth"), a massive demolition program aimed at destroying allegedly illegal urban structures, such as informal housing and markets. By early July 2005, an estimated 700,000 urban Zimbabweans had been rendered homeless or unemployed by the operation, and an estimated 2.1 million (in total, almost 20% of the population) were indirectly affected by the demolitions.[59] These are considered "low-end estimates," and some reports suggest the numbers of those affected may be much higher.[60] According to some sources, 70% of the country's urban population may have lost shelter, while approximately 76% lost their source of income.[61] Police and military who carried out the event reportedly arrested forty thousand for allegedly illegal activities, and told those whose homes were destroyed to "return to their rural origins," although many had no rural home to which they could return.[62]

Operation Murambatsvina has had a severe impact on the nation's economy and on the livelihood of its citizens. For many, this was not the first time they had been forcibly removed from their homes. As a result of the 2000 land reform program, an estimated 400,000 black laborers on commercial farms lost their livelihoods and/or homes, and many fled to urban areas to find work. Political violence surrounding the 2002 elections also forced many from their homes, reportedly displacing more than 100,000.[63] In 2004, under a new phase of land resettlement, an estimated 500,000 who settled on farms during the 2000 invasions were evicted.[64] Many of these displaced inhabited the urban "slums" prior to the demolitions, making their living from trading on the black market. Given the collapse of the formal economy, 40% of the labor force was estimated to be informally employed prior to Murambatsvina, while 44% worked in the communal sector (including the agriculture industry), and 16% worked in the formal sector.[65] Of those living in towns and cities, an estimated 70% were involved in informal trading prior to the demolitions.

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[59] The U.N. Special Envoy on Human Settlements Issues in Zimbabwe Anna Kajumulo Tibaijuka, *Report of the Fact-Finding Mission to Zimbabwe to Assess The Scope and Impact of Operation Murambatsvina,* July 2005.

[60] A survey by ActionAid International, a Netherlands-based international development agency, found that 840,000 were directly affected and 1.2 million indirectly affected, while a survey by the independent research firm Afrobarometer reported that an estimated 2.7 million were directly affected.

[61] ActionAid International, *The Impact of Operation Murambatsvina/Restore Order in Zimbabwe,* August 2005.

[62] Tibaijuka, 13.

[63] U.S. Committee for Refugees and Immigrants, "World Refugee Survey, Zimbabwe Country Report," 2003.

[64] DOS, "Zimbabwe," *Country Reports on Human Rights Practices 2005.*

[65] Tibaijuka, 34.

Political Motivations? The government describes Murambatsvina as a program designed to restore the capital city to its former image as "the Sunshine City," ridding the country's urban areas of illegal structures that foster criminal activity and stemming the black market trade in foreign currency.[66] Launched shortly after the disputed 2005 parliamentary elections, many contend the demolitions were a political move aimed either at preventing mass protests over the growing economic crisis or at punishing the reputed urban support base of the MDC. The Harare Commission that initiated the campaign was established in order to contravene the authority of the elected City Council, of which the MDC held the majority. The mayor of Harare, an MDC politician who was elected by 80% of the vote, was fired in April 2004, along with 19 MDC-allied city councillors, after having been arrested in 2003 under POSA for holding a public meeting without prior state approval.

The legality of the Harare Commission, which was appointed by the Minister of Local Government, was challenged in a November 2003 high court ruling that found the Commission did not have the authority to fire the mayor. A new election was supposed to be held within 90 days, according to law, but when no election occurred, the Harare Commission was reappointed. The remaining MDC councillors resigned in protest. With the exception of Harare, the local authorities of the other areas (many of which are MDC-controlled) affected by Murambatsvina have reported that they were not informed of the demolitions prior to the event. The implications of this breakdown in governance are reflected by the United Nations, which found that Murambatsvina "was implemented in a highly polarized political climate characterized by mistrust, fear and a lack of dialogue between Government and local authorities, and between the former and civil society."[67]

The International Response. International reaction was highly critical. U.N. Secretary-General Kofi Annan named Tanzanian-born Anna Tibaijuka, Executive Director of UN-HABITAT, as the U.N. Special Envoy on Human Settlements Issues in Zimbabwe to investigate the humanitarian impact of the demolitions. Following a fact-finding mission to the country, she issued a comprehensive report, which concluded:

> Operation Restore Order, while purporting to target illegal dwellings and structures and to clamp down on alleged illicit activities, was carried out in an indiscriminate and unjustified manner, with indifference to human suffering and, in repeated cases, with disregard to several provisions of national and international legal frameworks.[68]

The report also described police preventing civil society and humanitarian organizations from assisting those affected by the demolitions, and suggested that the groups were operating in a "climate of fear" and practicing "'self-censorship' to

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[66] "Clean Up Commendable," *The Herald*, May 23, 2005.

[67] Ibid., 7.

[68] Ibid., 7.

avoid being closed down or evicted."[69] The Chairman of the African Union sent his own envoy, but he was prevented from conducting an assessment (see "International Perspectives," below). The presentation of the U.N. envoy's report to the U.N. Security Council stirred controversy as China, Algeria, Benin, and Russia objected to debate on the report. The majority of Security Council members voted to allow its discussion, albeit in a closed session. Secretary-General Annan also issued a strong statement condemning Murambatsvina, calling on the government of Zimbabwe to stop the evictions and allow unimpeded access for humanitarian assistance:

> "Operation Murambatsvina" has 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. I call on the Government to stop these forced evictions and demolitions immediately, and to ensure that those who orchestrated this ill-advised policy are held fully accountable for their actions .... the Government must recognize the virtual state of emergency that now exists, allow unhindered access for humanitarian operations, and create conditions for sustainable relief and reconstruction.[70]

Continued Evictions and Operation *Garikai*. Many observers suggest the Zimbabwean government has done little to respond to the U.N. envoy's recommendations.[71] Reports suggest that forced evictions continue, despite government declarations to the contrary.[72] As was the case during the initial evictions, several thousand of those made homeless were taken, in some cases reportedly against their will, to police-run "transit camps" in late 2006. Conditions in these camps have been described as dire, often lacking shelter, water, or basic latrine facilities.[73] In keeping with the findings of the U.N. report, Amnesty International alleges that Zimbabwe has repeatedly prohibited aid organizations, including the United Nations, from providing the displaced with temporary shelters, such as tents, until permanent housing became available. Secretary-General Annan expressed his concern in October 2005 over the government's rejection of U.N. assistance to "tens of thousands," noting "there is no clear evidence that subsequent Government efforts have significantly benefitted these groups."[74] The United Nations

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[69] Ibid., 54.

[70] The Secretary-General's statement, made on July 22, 2005, is available online at [http://www.un.org/apps/sg/sgstats.asp?nid=1589].

[71] See, for example, Zimbabwe Human Rights NGO Forum , "Political Repression Disguised as Civic Mindedness: Operation Murambatsvina One Year Later," November 2006 and *Political Violence Report, October 2007*.

[72] U.N., *United Nations Consolidated Appeals Process (CAP) 2007*, July 2007.

[73] AI, "Zimbabwe: No Justice for the Victims of Forced Evictions," September 2006.

[74] The October 31, 2005, statement of the Spokesman for the Secretary-General on Zimbabwe is available at [http://www.un.org/News/ossg/].

was subsequently permitted to erect approximately 2,300 shelters, a fraction of their target of 40,000.[75]

In response to international criticism of Murambatsvina, the government announced a new housing scheme, Operation *Garikai*, in June 2005. Under *Garakai*, also known as "Hlalani Kuhle" (Live Well), new housing for those rendered homeless was to be built with public funds. The ambitious reconstruction program would allegedly create tens of thousands of new homes, but given the shortage of building materials and the government's budgetary problems, it is highly unlikely the original target of 5,275 homes will be met. Reports suggest that few houses have actually been completed, and, instead of going to victims of Murambatsvina, the newly built houses have been more often occupied by soldiers, police, and members of the ruling party.[76] The government denies these allegations.

Violations of Domestic and International Law. Human rights organizations have raised questions about how Zimbabwe and the international community should respond to what some have termed "crimes against humanity,"[77] as defined by Article 7 of the Rome Statute of the International Criminal Court (ICC),[78] and whether there is a "responsibility to protect"[79] those affected by Murambatsvina. Among the U.N. report recommendations, the envoy suggests:

> Although a case for crime against humanity under Article 7 of the Rome Statute might be difficult to sustain, the Government of Zimbabwe clearly caused large sections of its population serious suffering that must now be redressed with the assistance of the United Nations and the international community. The international 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. The international community should then continue to be engaged with human rights concerns in Zimbabwe in consensus building political forums such as the UN Commission on Human Rights, or its successor, the African Union Peer Review Mechanism, and in the Southern African Development Community.

The report includes a legal analysis of Murambatsvina through international and regional, and national legal frameworks. Several domestic and international organizations, including the International Bar Association (IBA), have called for the

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[75] AI, "Zimbabwe," *Annual Report 2007*.

[76] See the AI report; Solidarity Peace Trust, *Meltdown: Murambatsvina One Year On*, August 30, 2006.

[77] Institute of War and Peace Reporting, "Prosecution of Mugabe Urged," January 20, 2006.

[78] The United States is not party to the Rome Statute. For more information, see CRS Report RL31495, *U.S. Policy Regarding the International Criminal Court*, by Jennifer Elsea.

[79] For more information on the "Responsibility to Protect," see the *Report on the International Commission on Intervention and State Sovereignty*, which aims to "reconcil[e] the international community's responsibility to act in the face of massive violations of humanitarian norms while respecting the sovereign rights of states." The report is available at [http://www.iciss.ca/report-en.asp].

Zimbabwean government to be brought before the ICC, not only for violations related to the demolitions, but also for the government's alleged support of political violence against its critics. Responding to President Mugabe's comments supporting the beating of the ZCTU leaders in September 2006, the Executive Director of the IBA made the following statement:

> Mugabe's statements add to the weight of evidence that torture and other serious violations of international law are sanctioned at the highest level in Zimbabwe. This underscores the urgent need for international and regional action to hold the Zimbabwean Government to account ... the torture of the trade union activists is not an isolated incident, but part of a dangerous and illegal system of repression which constitutes crimes against humanity in international law. Decisive action is required by both the United Nations and the African Union to end impunity and violence in Zimbabwe.[80]

Because Zimbabwe is not a signatory of the Rome Statute, a U.N. Security Council resolution would be needed for any referral to the ICC. Given the objections of some Security Council members to the envoy's report itself, which as stated above suggested an ICC case would be "difficult to sustain," it is unlikely such a referral would be made. The U.N. Envoy found that "The Government of Zimbabwe is collectively responsible for what has happened," but cautioned that "it appears there was no collective decision-making with respect to both the conception and implementation. Evidence suggests it was based on improper advice by a few architects of the operation."[81] According to one media source, though, Zimbabwe's State Security Minister has claimed, "All the decisions to do with the operation emanated from the politburo [the ruling party's inner cabinet] and were sent through me to the government."[82]

The government of Zimbabwe has yet to prosecute those who might be responsible for crimes related to Operation Murambatsvina or the subsequent evictions. The victims, in most cases, lack the financial resources to seek redress in the courts, although Zimbabwean human rights lawyers have represented groups of victims on several occasions. In one such case, in November 2005, residents of a Harare suburb were given a temporary stay of eviction by the High Court, but police ignored the court order and forcibly moved the group to a transit camp. The inability of the country's judicial system to protect its citizens or their property, or to provide due process to those seeking remedy or compensation, suggests a fundamental crisis in Zimbabwe's rule of law.

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[80] The IBA is comprised of Bar Associations and Law Societies around the world. The comments of its Executive Director can be found at [http://www.ibanet.org/iba/article.cfm?article=95].

[81] Tibaijuka, 76.

[82] See an excerpt from South-Africa based website *ZimOnline* in "Ex-Ethiopian Leader Said Behind Zimbabwe's Cleanup Operation," *BBC Monitoring Africa*, February 20, 2006.

Zimbabwe's Food Crisis

Several Southern African countries have suffered from chronic food insecurity in recent years, stemming from a combination of weather-related and man-made factors, including prolonged drought, floods, poor economic performance, and the impact of HIV/AIDS.[83] Zimbabwe has been particularly hard hit. Grain silos across the country that once held strategic grain reserves three times the population's annual food needs now stand empty. Five million Zimbabweans, almost half the population, received food aid in early 2006. Experts attribute this food insecurity to unexpectedly severe crop failure,[84] but some suggest Murambatsvina and other government policies significantly limited the population's ability to feed itself, particularly in urban areas.[85] USAID and the World Food Program predict that over 4.1 million Zimbabweans, more than a third of the country's population, will need food assistance in early 2008.[86]

Although drought is partly to blame for the country's food shortages, analysts believe that disruptions to the farming sector resulting from Mugabe's land seizure program are the main reason for reduced food production.[87] Nearly all of the country's 4,500 commercial farms have now been taken over; the government's land redistribution program is reportedly plagued by inefficiencies, with large portions of redistributed land not being actively farmed. Tractors and other inputs to production are reportedly in short supply. Thousands of experienced farm workers were reportedly forced to flee seized commercial farms, and many of those who now hold farmland have no agricultural expertise. The government's introduction of price controls in 2007 may further restrict production — the country's seed and fertilizer producers report that the controls have created "unrealistic prices," which in turn have caused shortages for the latest farming season.[88]

Operation *Taguta.* In late 2005, the Zimbabwean government established Operation *Taguta* (or "Eat Well"), a move seen by many as an acknowledgment that the government's farm resettlement policies had failed to meet the country's agricultural production needs. With food distribution already under the control of the Grain Marketing Board, led by military officers, the government has established a command agriculture system, in which the military is responsible for not only the

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[83] For more information on the region's food crisis, see CRS Report RS21301, *The Food Crisis in Southern Africa: Background and Issues*, by Charles E. Hanrahan.

[84] United Nations, *2006 CAP Mid-Year Review*, June 2006.

[85] ActionAid International, *The Impact of Operation Murambatsvina/Restore Order in Zimbabwe*, August2005. This study suggests up to 54% of the country may have become food insecure as a result of Murambatsvina. A more recent USAID study also concluded that Murambatsvina and "more recent evictions" increased vulnerability, according to its "Zimbabwe — Drought and Complex Emergency Situation Report #2," Fiscal Year 2007.

[86] "More Than a Third of Zimbabweans Require Food Assistance," *IRIN*, June 5, 2007.

[87] On the land takeovers in Zimbabwe, see AI, *Zimbabwe: Power and Hunger — Violations of the Right to Food*, October 15, 2004.

[88] "Zimbabwe: The Mother of All Farming Seasons," *IRIN*, October 25, 2007.

distribution, but also the production of food. Since the program's inception, there have been numerous reports of the illegal seizure of farm equipment, the destruction of the fruit, vegetable, and other cash crops small-scale farmers grow to sell at market to support their families, and even army brutality against farmers. Some critics of the government suggest Operation Taguta has been used by the government as an excuse to deploy military forces throughout the country to control the population.[89]

Food as a Political Weapon? The Mugabe regime's stance on food aid leads many observers to suspect that food is being used as a political weapon, a charge the government denies.[90] Despite assessments by multiple international donor agencies suggesting the need for food assistance, President Mugabe confounded observers in recent years by repeatedly declaring the country was running a maize surplus and would not need food aid.[91] In 2004, the government stopped a U.N. food needs assessment and later halted general food aid distribution by donors (targeted food aid to vulnerable groups continued), despite independent estimates that suggested 4.8 million would require assistance.[92] In March 2005, the government finally acknowledged serious food shortages, but delayed in signing agreement to allow the World Food Program (WFP) and its implementing partners to provide assistance until December of that year.[93] Reports suggest the government continues to maintain tight control of food distributions.[94] The government has accused aid agencies of using food to turn Zimbabweans away from the ruling party.

Critics like Pius Ncube, former Catholic Archbishop of Bulawayo, have accused the government of distributing food only in areas where people would agree to vote for ZANU-PF. During past elections, civil rights groups and the opposition have reported instances of the ruling party holding campaign rallies in conjunction with government food distributions. In some areas, government officials distributing food required those in line to show a party card — and MDC supporters were reportedly turned away. Two 2005 court rulings supported these claims, finding that ZANU-PF candidates politicized food distribution and used violence against the opposition.[95]

HIV/AIDS

In the midst of its political and economic crisis, Zimbabwe is being ravaged by HIV/AIDS. One in five Zimbabweans is HIV positive. The United Nations

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[89] Solidarity Peace Trust, *Operation Taguta/Sisuthi*, April 2006.

[90] AI, *Zimbabwe: Power and Hunger.*

[91] "Mugabe Word for Word,"*Sky News*, May 24, 2004.

[92] AI, *Zimbabwe: Power and Hunger*, and USAID, *2004 Annual Report for the Office of Foreign Disaster Assistance (OFDA)*.

[93] "ZANU-PF Admits Food Crisis," *Institute for War and Peace Reporting* (London), March 7, 2005; "10 More Die of Hunger in Bulawayo," *Zimbabwe Standard*, March 7, 2005; "14 More Die of Hunger in Bulawayo," *Zimbabwe Standard*, February 15, 2005.

[94] "Govt Delays Stall WFP Food Distribution," *Financial Gazette*, December 13, 2006.

[95] Reference to the rulings, made by Judges Nicholas Ndou and Rita Makarau, can be found in DOS, "Zimbabwe," *Country Reports on Human Rights Practices 2005*.

Children's Fund (UNICEF) estimates that almost one quarter of Zimbabwe's children are orphans (primarily attributable to AIDS), the highest percentage in the world.[96] The epidemic is also causing a severe strain on the country's healthcare system; 75% of hospital admissions are AIDS-related, leaving few beds or resources for other patients. To compound this problem, the economic crisis has resulted in the exodus of many of the country's medical professionals. Of those who remain, many are infected with HIV themselves, leaving Zimbabwe to rely upon assistance from others. Cuba, a close ally of the Mugabe Administration, routinely contributes doctors and specialists to serve terms in the country. The AIDS epidemic is having a crippling effect on the economy- the inability of infected agricultural workers to adequately contribute to food production further hamstrings the struggling industry.

Although its infection rate remains high, Zimbabwe is the only country in Sub-Saharan Africa in which HIV prevalence and incidence rates have declined. While reports suggest evidence of changes in sexual behavior,[97] the country's high mortality rates also play a role in the decreased prevalence rate.[98] Zimbabwe's government has claimed significant resolve to fight the disease. The country was the first to introduce a tax to finance HIV/AIDS programs (3% on taxable income). President Mugabe announced in Zimbabwe's commitment to universal access to antiretroviral therapy (ART) by 2010. Despite this commitment, access to ART is low — an estimated one in seven HIV positive Zimbabweans is currently able to access the drugs.[99]

For those who are able to access treatment, the country's economic crisis is limiting its impact. Patients taking ART must maintain healthy diets for the treatment to be effective, but with malnutrition rates high, few are able to benefit. Murambatsvina reportedly displaced an estimated 80,000 infected with HIV/AIDS, leaving many not only food insecure but also without access to ART. Experts suggest this disruption in ART may lead to increased resistance in HIV-positive patients to the most common medication, Nevirapine.[100] The displacement and separation of families may also lead to an increase in unsafe sexual behavior, which could reverse the country's decreasing prevalence rate.

The Economy

The turmoil in Zimbabwe has led to a severe economic contraction, a sharp drop in living standards for the rural and urban poor, and a massive exodus of Zimbabweans in search of work. According to the Solidarity Peace Trust, founded

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[96] "Zimbabwe Has Highest Percentage of Orphans in the World," *Associated Press*, December 6, 2006.

[97] UNAIDS, *AIDS Epidemic Update*, December 2007.

[98] Dr. Peter Piot, "Launch of the 2005 AIDS Epidemic Update," November 21, 2005. Speech available at [http://data.unaids.org/Media/Speeches02/SP_Piot_EPI05_21Nov05_en.pdf].

[99] "Zimbabweans Pledge to Redouble Efforts to Beat AIDS," *VOA*, December 1, 2006. Other figures are more conservative — the United Nations estimates that 10%, or 1 in 10 Zimbabweans, are receiving ART.

[100] Tibaijuka, 40.

by clergy from Zimbabwe and South Africa, an estimated 3.4 million Zimbabweans are now living outside the country. The Trust calculates that this amounts to 25%-30% of the total population, or 60%-70% of productive adults.[101] Those forced to leave the country because of economic hardship often face difficult conditions because economic refugees are not entitled to political asylum. Many of those who remain behind now reportedly rely on remittances from family abroad.

The IMF and the World Bank

Dubbed "the world's fastest shrinking economy," Zimbabwe's Gross Domestic Product (GDP) has declined an estimated 40% since 1998.[102] World Bank and the International Monetary Fund (IMF) lending has been suspended for more than six years due to nonpayment of arrears, and foreign currency for essential imports, particularly fuel, is in extremely short supply. The IMF suggests that the inflation rate will not reverse without significant changes in government spending.[103] Zimbabweans continue to face steep rises in the prices of food and non-food items.

In December 2003, Mugabe selected Gideon Gono, credited with turning around a troubled commercial bank, as governor of the Reserve Bank of Zimbabwe. The move was welcomed by some, since Gono was regarded as a successful technocrat. However, critics maintain that his measures to fight corruption and discover illegally held foreign exchange are being used to damage government opponents and further the interests of ZANU-PF.[104] Regardless of Gono's efforts, international assessments of Zimbabwe's economic prospects remain bleak. Ignoring the advice of the IMF, the government has refused to devalue the official exchange rate. Instead, in June 2006, Gono devalued the country's currency, the Zimbabwe dollar, removing three zeros in an effort to mitigate inflation.

Under "Operation Sunrise," the government printed new "rebased" currency, known as "little heroes," in an effort to combat corruption and money laundering, according to the government.[105] Zimbabweans were given only 21 days to exchange their old currency. Individuals were restricted from exchanging more than Z$100 million (USD$1000) of the old notes without clearance from tax authorities (companies were allowed to exchange Z$5 billion). Police arrested more than 3,000 at roadblocks for holding currency over the individual limit and seized a reported $40

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[101] Solidarity Peace Trust, *An Account of the Exodus of a Nation's People*, November 2004.

[102] See, for example, Simon Robinson, "Great Leap Backwards," *Time*, May 29, 2005.

[103] IMF, *Regional Economic Outlook: Sub-Saharan Africa*, September 2006.

[104] "Gono's Mission Is to Save ZANU-PF, Not the Economy," *LiquidAfrica*, December 3, 2004.

[105] "Country is Committed to Uprooting All Forms of Corruption," *The Herald*, August 24, 2006.

million.[106] Analysts suggest the devaluation has done little to reverse the foreign exchange rate shortages.[107]

Zimbabwe is currently restricted from borrowing from the IMF, to which the country still owes an estimated $119 million. The government paid $120 million in 2005 and $9 million in 2006 to settle other outstanding arrears with the Fund and to avoid compulsory withdrawal from the IMF. The source of the funds used to pay the IMF debt has been a source of considerable speculation in the media.[108] Mugabe has dubbed the IMF a "political instrument" and "monster" for regime change.[109] Zimbabwe also owes an estimated $409 million to the World Bank and $300 million to the African Development Bank.

Attempts to Revive Agriculture Industry

In addition to the government's attempts to revive its flagging agriculture industry through the introduction of a command agriculture system (see "Food Crisis" section, above), the administration has introduced long-term leases to provide security of tenure for farmers willing to cultivate land nationalized in the 2005 constitutional amendment. One of the unintended side effects of Mugabe's 2000 land reform strategy, which resulted in the abolition of land tenure, was that farmers were unable to use their land as collateral to obtain bank loans to invest in their farms. As a result, few commercial farmers were able to find the capital to maintain productivity. The government began to distribute 99-year leases in November 2006, and among the initial recipients were 19 white farmers, which came as a shock to many after Mugabe declared in July 2005 that his land reform program would be complete only when there was "not a single white on the farms."[110] There are currently less than 600 white farmers left in Zimbabwe. Some suggest financial institutions may be reluctant to accept the new leases as collateral, given that the government reserves the right to cancel the lease if it deems the farm unproductive.

The government also announced in May 2007 its intention to ration electricity to households across the country in order to divert its dwindling supplies for irrigation of Zimbabwe's winter wheat crop.[111] More recent electricity shortages, caused by supply cuts from Zambia and Mozambique because of unpaid debts, have

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[106] "Much Ado About Money," *IRIN*, August 18, 2006.

[107] "Bag of Bricks: Hyperinflation in Zimbabwe," *The Economist*, August 26, 2006, and "Zimbabwe: Millions no Longer Millionaires," *African Business*, October 2006.

[108] See, for example, "A Zimbabwean Businessman, His Farms Seized, Takes on Mugabe," *Washington Post*, February 24, 2006.

[109] "Mugabe's 82nd Birthday Blast at Zimbabwe," *Business Day*, February 21, 2006.

[110] "In Reversal, Mugabe Seeks White Farmers," *UPI*, December 17, 2006.

[111] "Zimbabwe to Ration Electricity for Homes to Four Hours a Day," *Reuters*, May 10, 2007.

compounded Zimbabwe's economic woes, cutting the production capacity of the manufacturing and mining sectors by as much 50%, according to some reports.[112]

The Mining Industry and "Blood" Diamonds

While the country's agriculture industry founders, its mining industry has continued to bring much-needed income into Zimbabwe. Mining accounted for 44% of Zimbabwe's total foreign currency revenues in 2005. In early 2006, the government announced plans to take a 51% share of all foreign-owned mines for local black investors; 25% of that share would be acquired at no cost to the government, and mines that refused to part with their shares would be expropriated. After industry officials cautioned that the plan would deter foreign investment, the proposal was modified, allowing firms that invested in community projects to keep their majority share. Parliament is expected to consider the legislation before the end of 2007. They voted to approve similar plans to take a majority share in all foreign-owned businesses in September 2007, although Mugabe has yet to sign the legislation into law. The government has also taken steps to crackdown on illegal mining. Police arrested an estimated 20,000 illegal miners in late 2006, including several hundred reportedly legal small-scale miners, confiscating gold, diamonds, emeralds, and gold ore. Since the collapse of the formal economy, many of the country's unemployed have resorted to illegal mining, selling their goods on the black market. According to reports, most of the miners were released after paying fines.

The Kimberly Process, an international government certification scheme designed to prevent trade in conflict diamonds, is currently investigating allegations that "blood diamonds" from the Democratic Republic of Congo (DRC) are being smuggled along with rough stones from Zimbabwe into South Africa for export. If the allegations are proven, Zimbabwe's legal diamond exports could be banned. The government has dismissed the claims as a western attempt to promote regime change. Zimbabwe has been previously linked to conflict diamonds; senior officials were named in a 2003 U.N. report for profiting from illicit diamond trade during Zimbabwe's military operations in the DRC.[113]

"Look East" Policy

Blaming the United States, the United Kingdom, and other western governments for the country's economic crisis, Mugabe has sought to engender investment and trade opportunities with Asia, particularly China. Dubbed the "Look East" policy, Mugabe's efforts have been criticized by his own party as insufficient to address the economy's slide. In December 2006, the Parliamentary Portfolio Committee on Budget, Finance, and Economic Development, chaired by a ZANU-PF MP, accused the central bank governor of exacerbating inflation with "quasi-fiscal activities" and warned the administration that "the Far East destinations be viewed as a market in

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[112] "Power Cuts Halt Harare Factories," *Business Day*, October 29, 2007.

[113] Zimbabwe is a signatory of the Kimberly Process. For more information, see CRS Report RL30751, *Diamonds and Conflict: Background, Policy, and Legislation*, by Nicolas Cook.

its infancy and that the traditional market of the West should not be neglected as the nation moves toward regularizing relations with the international community."[114]

The Military and the Economy

Critics contend that President Mugabe is buying the continued loyalty of the country's security forces through patronage and bribery.[115] Some observers suggest that loyalty of the security forces may come at a heavy cost to the economy. In 2006 the government reportedly spent more than $20 million to purchase new cars for police, military and intelligence officers. The security forces and civil service also reportedly received an almost 300% pay raise to counter record desertion rates. The 2006 defense budget submitted to parliament was reportedly four times higher than that of the previous year, and observers continue to speculate on how the government will pay for its military purchases from China, including $240 million in fighter jets.

In addition to allegations of land and housing handouts to security personnel, critics of the government highlight a significant number of current and former military officers who have been appointed to civilian government positions. Current or former military officers currently control the Ministries of Energy and Industry, the Zimbabwe Revenue Authority (in charge of tax collection), the electoral commission, the state railway, the Grain Marketing Board, and the parks authority, and several are serving in the Senate and ambassadorial posts abroad.

As the economy continues to collapse, there are signs that the government may be running out of funds to maintain its security forces. During a parliamentary hearing in May 2007, the Defense Secretary reportedly suggested that soldiers were dissatisfied with their low salaries and that the forces were running out of food and might have to suspend training if new funds were not released.[116] Later that month, Zimbabwean intelligence officials reportedly uncovered a coup plot led by several senior military officials. Unconfirmed reports suggest that as many as 400 members of the army, air force, and police may have been involved in the plan, which allegedly aimed to remove Mugabe and to install Emmerson Mnangagwa as president. Mnangagwa, who has reportedly long sought to succeed Mugabe, denied any knowledge of the plot. Other sources suggest Vice President Joice Mujuru and her husband were behind the coup attempt and used Mnangagwa's name to discredit him. At least five men, including a retired army captain, were arrested and charged with treason.[117] The accused have denied the charges. Neither Mnangagwa nor the Mujurus were officially accused of involvement, although some reports suggest Solomon Mujuru may have been placed under house arrest for a limited time.[118]

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[114] "Zimbabwe: Parliamentary Body Urges State to 'Normalize' Trade Ties with West," *BBC Monitoring Africa*, December 8, 2006.

[115] "Militarization of State Firms Cause for Worry," *Zimbabwe Independent*, May 26, 2006.

[116] "Soldiers Go Hungry," *Financial Gazette*, May 23, 2007.

[117] "Five Accused of Plotting Coup to Topple President," *The Herald*, June 16, 2007.

[118] "Army Investigates Reports of Coup Plot," *SW Radio Africa*, June 14, 2007.

International Perspectives

The international community appears divided on how to respond to Zimbabwe's persistent political and economic crisis. In general, Western nations and institutions have expressed opposition to Mugabe's methods of rule, and have pursued policies intended to pressure the Zimbabwe government for reforms. In contrast, the Mugabe government has enjoyed considerable sympathy in Africa, where he is viewed as an elder statesman and a leader of the anti-colonial struggle, and among the Non-Aligned nations generally. This is changing to an extent, however, with some African leaders concluding that the Zimbabwe situation is damaging to Africa's interests and that political and economic reforms are needed. Nevertheless, African countries supported Zimbabwe in its successful bid to chair the United Nations Commission on Sustainable Development in May 2007, allegedly to show African solidarity against American and European opposition.

U.S. Policy

The United States has been critical of the Mugabe regime for its poor human rights record and lack of respect for the rule of law. Key elements of U.S. policy toward Zimbabwe include the imposition of targeted sanctions against high-ranking members of ZANU-PF and their affiliates, support for South Africa to spearhead an African effort to restore democracy, and the provision of assistance intended to help the country's poor and strengthen civil society. In January 2005, Secretary of State Condoleezza Rice told the Senate Foreign Relations Committee during her confirmation hearing, that Zimbabwe was one of six "outposts of tyranny" worldwide and that the United States stood with the oppressed people there.[119] These remarks provoked an angry personal response from Mugabe.[120] In February 2005, Thomas Woods, Deputy Assistant Secretary of State for African Affairs, was similarly critical in a speech in Washington, suggesting that Zimbabwe "has now become a textbook case of bad and illegitimate government."[121]

Sanctions. The Mugabe administration has routinely blamed its economic crisis on sanctions from the west. The United States does not currently have trade sanctions against Zimbabwe, with the exception of a ban on transfers of defense items and services to the country. The U.S. government has, however, cancelled all non-humanitarian government-to-government aid. In 2006, Zimbabwe was found to be in violation of crimes related to human trafficking and was subject to sanction under the Trafficking Victims Protection Act of 2000 (P.L. 106-386) for FY2007.[122] In 2007, the State Department found that Zimbabwe was "making significant efforts"

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[119] "Rice Targets 6 'Outposts of Tyranny,'" *Washington Times*, January 19, 2005. The others were Cuba, Burma, North Korea, Iran, and Belarus.

[120] "Zimbabwe's Mugabe Lashes Out at Rice, Blair at Campaign Launch," *AFP*, February 11, 2005.

[121] DOS, "Zimbabwe a Textbook Case of Bad Governance, U.S. Official Says," February 28, 2005.

[122] For information on human trafficking and related legislation, see CRS Report RL30545, *Trafficking in Persons: The U.S. and International Response*, by Clare Ribando.

to combat trafficking, and Zimbabwe was moved from a "Tier 3" to a "Tier 2" designation.[123] Zimbabwe is not eligible for trade benefits under the African Growth and Opportunity Act (AGOA) because and its poor record of economic management and human rights abuses.

President Bush announced a renewal of U.S. sanctions against ZANU-PF leaders in March 2007. The sanctions are intended to punish those responsible for Zimbabwe's difficulties without harming the Zimbabwe population at large. The initial sanctions, imposed in 2003, ban travel to the United States by "senior members of the government of Robert Mugabe and others ... who formulate, implement, or benefit from policies that undermine or injure Zimbabwe's democratic institutions or impede the transition to a multi-party democracy." Persons who benefit financially from business dealings with such individuals are also banned, as are the spouses of people in either group. In 2003, the President issued an executive order freezing assets held in the United States by 75 high-ranking Zimbabwe officials and Mugabe's wife, Grace.[124] Nine firms and farms were added in 2004, and the list was further expanded in November 2005 to block the assets of 128 individuals and 33 entities. The President's executive order also allows the Secretary of the Treasury, in consultation with the Secretary of State, to go beyond previous authority and block the property of additional persons who "have engaged in actions or policies to undermine Zimbabwe's democratic processes or institutions," their immediate family members, and any persons assisting them.[125] President Bush added an additional 38 names to the travel ban list in December 2007.

Congressional Response. Congress made clear its opposition to Mugabe's policies in the Zimbabwe Democracy and Economic Recovery Act of 2001 (P.L. 107-99), which criticized "economic mismanagement" and "undemocratic practices" in Zimbabwe. This legislation called for consultations with allies on economic sanctions and a travel ban. In the 109th Congress, the U.S. House of Representatives passed H.Res. 409 in December 2005, condemning Operation Murambatsvina, which the resolution termed a "humanitarian disaster that has compounded the country's humanitarian food and economic crises." The resolution also called on the U.N. and African regional bodies to investigate the impact of the demolitions and requested that the Administration use its influence to advocate further action by the IMF against the Zimbabwean government. Senator Russ Feingold (D-WI) introduced S.Amdt. 1254, which was included in the final version of the FY2006 foreign operations appropriations bill (P.L. 109-102). This amendment provided $4 million for democracy and governance activities in Zimbabwe. The Senate Subcommittee on African Affairs held a hearing on Zimbabwe's political and economic crisis in June 2001. The House Subcommittee on Africa has likewise held hearings on challenges to democracy in Zimbabwe: in June 2000 prior to the parliamentary elections, in

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[123] A Tier 2 rating means that the government still does not meet the minimum standards for the elimination of trafficking, but is making significant efforts to do so. For more information, see U.S. Department of State, *Trafficking in Persons Report 2007,* available at [http://www.state.gov/g/tip/rls/tiprpt/2007/].

[124] Seventy-seven individuals are named in the executive order (EO 13288), but one of these, Vice President Simon Muzenda, has died.

[125] The text of this annex to EO 13288 can be found at [http://www.whitehouse.gov].

February 2002 prior to Zimbabwe's presidential elections, and in April 2005 following the parliamentary elections.

Most recently, on April 17, 2007, the House of Representatives passed H.Con.Res. 100, sponsored by Representative Tom Lantos, condemning the Zimbabwean government's recent actions against opposition and civil society activists. In June 2007, the Senate passed parallel legislation, S.Con.Res. 25, introduced by Senator Barack Obama. Senator Hillary Rodham Clinton has introduced S. 1500, the Support for Democracy and Human Rights in Zimbabwe Act of 2007, which would authorize up to $10 million to support democracy and human rights programs in the country.

U.S. Support for African Diplomacy. During President Bush's visit to South Africa in 2003, he praised the work of President Thabo Mbeki as the "point man" in seeking a Zimbabwe solution. The statement suggested to some that the United States was stepping back from a lead role on the Zimbabwe issue and would accede to Mbeki's "quiet diplomacy" (see "South Africa" section, below) as the best means of achieving reform in Zimbabwe.[126] Mbeki reportedly assured President Bush at that time that he would be able to bring about talks between ZANU-PF and the MDC, which did not occur until 2007. In August 2004, the current U.S. Assistant Secretary of State for Africa and then Ambassador to South Africa, Jendayi Frazer, called for the formation of a "coalition of the willing" to deal with Zimbabwe. Ambassador Frazer reiterated South Africa's position of leverage, and insisted more needed to be done by African states to return Zimbabwe to democracy.[127]

U.S. Assistance. The United States remains the leader in humanitarian relief aid to the Zimbabwean people, supplying more than $300 million in food aid and disaster assistance since 2002. The United States provided $155 million in food aid to southern Africa in FY2006 through the WFP.[128] In addition, the United States provided $17.54 million in bilateral assistance for Zimbabwe in FY2006, $17.65 million in FY2007, and $21.01 million has been requested for FY2008. The State Department has stated in its FY2008 Congressional Budget Justification (CBJ) that supplemental assistance will be requested if elections are held during the fiscal year that result in the election of a "reform-minded" government.[129] Funding for programs under the State Department's "Governing Justly and Democratically" category has decreased from $6.6 million in FY2006 to $3 million in FY2008.[130] Funding for

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[126] "Bush Backs Mbeki on Zimbabwe," *The Guardian* (London) July 10, 2003.

[127] "US Seeks 'Coalition' to Force Zimbabwe Regime Change," *The Independent* (UK), August 25, 2004.

[128] WFP, "Funding Shortage Edges Millions of Southern Africans into Food Crisis," October 26, 2006. Figures for 2007 are not yet available.

[129] Department of State, FY2008 Foreign Operations Congressional Budget Justification.

[130] The Senate Appropriations Committee has expressed concern with the Administration's proposed cut in democracy funding for Zimbabwe in S.Rept. 110-128 accompanying H.R. 2764, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008, and has requested a report justifying the cut from the Department of State within

(continued...)

HIV/AIDS initiatives has increased from $10.9 million in FY2006 to $18 million in FY2008. Zimbabwe is not among the countries eligible to participate in the Millennium Challenge Account program, nor is it a focus country for the President's Emergency Plan for AIDS Relief.

USAID continues to support local democracy advocates in Zimbabwe through a variety of programs aimed at ensuring media freedom and strengthening civil society and the legislative process. USAID partners were reportedly instrumental in documenting the demolitions and human rights violations during Operation Murambatsvina and assisting in relief efforts. Legal restrictions continue to limit the ability of journalists and independent newspapers to provide alternative source for news, and the Zimbabwean government controls all domestic radio and television broadcasting stations. USAID provides funding for Voice of America to broadcast Studio 7, a daily program on shortwave and AM radio that USAID describes as "the principal source of independent electronic media in the country." Studio 7, along with UK-based Shortwave (SW) Radio Africa and the Dutch-funded Voice of the People (VOP) have had their broadcasts periodically interrupted by the Mugabe government using Chinese jamming equipment.

The U.S. State Department warns that travelers suspected of having a "bias" against the government may be refused entry to Zimbabwe.[131] In 2006, a delegation of the U.S. Coalition of Black Trade Unionists (CBTU), led by AFL-CIO Vice President William Lucy, was expelled from the country. Then-U.S. Ambassador Christopher Dell said,

> Clearly, the Zimbabwe government's decision not to honor the delegation's visas is the result of the events of 13 September, when security forces brutally suppressed planned peaceful demonstrations by the Zimbabwe Congress of Trade Unions.... This transparent attempt to deflect international attention from the vicious beatings is itself an example of the Zimbabwean government's repression and of its fear of the truth.... There is increasing acknowledgment that a man who was regarded as a liberator of his people is an oppressor.[132]

Other International Perspectives

United Kingdom. In 2002, in conjunction with the United States and the European Union, the British Parliament imposed targeted sanctions on leading members and affiliates of the ZANU-PF regime, as well an arms embargo and an asset freeze. The UK has imposed travel bans on over 100 members of the ZANU-PF and close affiliates of the party. Britain continues to provide humanitarian aid in Zimbabwe. Concurrently, the UK maintains its willingness to release funds to Zimbabwe to pay for parts of an orderly land redistribution program if Mugabe retires and the rule of law is returned. Mugabe was extremely hostile toward former British

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[130] (...continued)
60 days of the enactment of the Act.

[131] DOS's *Consular Information Sheet* for Zimbabwe is available at [http://travel.state.gov/].

[132] "EU Demands Probe into Congress of Trade Union Attacks," *Zimbabwe Standard*, September 24, 2006.

Prime Minister Tony Blair, a persistent critic. Speaking at his 81st birthday celebration, Mugabe said the upcoming election would "kill once and for all the machinations of that man in Number 10 Downing Street, who for some reason thinks he has the divine power to rule Zimbabwe and Britain.... On March 31, we must dig a grave not just six feet but 12 feet and bury Mr. Blair and the Union Jack."[133] Current Prime Minister Gordon Brown has maintained his predecessor's position, boycotting the December 2007 EU-Africa Summit to protest Mugabe's attendance.

European Union. The European Union was among the first to take action against Mugabe's regime. The EU imposed targeted sanctions on 19 members of Zimbabwe's elite and their spouses after pulling the EU election observer team out of Zimbabwe in February 2002. These "light" sanctions were upgraded by the EU to target 35 Zimbabwean leaders, and have been renewed yearly, most recently in February 2007. Current EU sanctions include a travel ban on 130 members and beneficiaries of the ZANU-PF, an arms embargo, and an asset freeze. Mugabe defied the travel ban in 2005 to attend the funeral of Pope John Paul II. The EU continues to put pressure on the ZANU-PF government to hold talks with the MDC, while at the same time providing humanitarian assistance to benefit Zimbabwe's poor.

France is generally seen as favoring more engagement with the Mugabe regime than Britain or other EU members, and it lifted travel restrictions against Mugabe for a visit in 2005. France justified the move by arguing that the inclusion of Mugabe rather than isolation would provide a quicker path to easing the crisis. Cynics suggest that France may see engagement with Zimbabwe as a means of extending French influence in southern Africa, where it has historically not had a major role. Nevertheless, France has publicly stressed the need for dialogue with the opposition before Zimbabwe can improve relations with the international community, and it declined to invite Zimbabwe to the Franco-Africa Summit in February 2007.[134]

Commonwealth. The Commonwealth of Nations sent a team of observers to the March 2002 presidential election in Zimbabwe, and the group found "that the conditions in Zimbabwe did not adequately allow for the free expression of the will of the electors."[135] Consequently, a special committee appointed to monitor and respond to the vote, consisting of Australia, South Africa and Nigeria, determined that Zimbabwe would be suspended from the Commonwealth for one year. The suspension was the first public action against Mugabe by a body that included influential African countries. In December 2003, the Commonwealth, including 19 other African members, voted to suspend Zimbabwe indefinitely. On this occasion, the decision was strongly criticized by South Africa's President Mbeki, who had by then committed to his policy of quiet diplomacy, and by other governments in southern Africa. Mugabe responded by withdrawing Zimbabwe from the

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[133] "Zimbabwe's Mugabe Marks 81st Birthday With Attack on Opposition, Blair," *AFP*, February 26, 2005.

[134] "France, US Say 'No Zimbabwe-UK Dispute, Call for Internal Dialogue," *BBC Monitoring Africa,* July 21, 2006.

[135] "Commonwealth Observer Group's Preliminary Report on Zimbabwean Presidential Elections," March 14, 2002. Available at [http://www.afrol.com].

Commonwealth and ruling out any further discussions or a possible return.[136] Some speculated, as a result, that the Commonwealth's action had backfired by placing Zimbabwe fully outside the bounds of its influence. Others argued that indefinite suspension by a body including many African members had important symbolic value in Africa and worldwide.

China and Iran. While many western governments have moved to isolate the Mugabe regime, China and Iran have strengthened ties and deepened their involvement in Zimbabwe's economy. China, which became active on the continent in the 1950s and 1960s to gain global influence, now looks to Africa for natural resources to meet the needs of its growing population. A longtime ally of ZANU-PF, which it backed during the liberation struggle, China is reported to be Zimbabwe's second largest trading partner and its largest investor.[137] Many observers see Zimbabwe's platinum concessions as a major draw for Beijing, and Chinese firms are playing roles in the cell phone industry, as well as in television, radio, and power generation. China holds controlling interest in the country's only electricity generator.

Some critics worry China's investment in Zimbabwe comes without the "strings attached" that Western governments might require, such as commitments to human rights, accountability, and anti-corruption. Arms agreements between China and Zimbabwe have attracted considerable attention in recent years, as most Western governments continue to enforce an arms embargo against the country. Zimbabwe's $240 million purchase of twelve Chinese fighter jets has drawn questions from analysts as to why a country that faces no immediate external threat from its neighbors would need such an air force.[138] Reports indicate that Zimbabwe has also ordered riot gear, water cannons, armored vehicles, and AK-47 rifles from China. How impoverished Zimbabwe could pay for arms from China is a subject of much speculation; Defense Ministry officials have admitted to being in arrears for the 2005 arms purchases. Some observers suspect that the acquisitions are covered in some way by China's growing economic role in Zimbabwe.[139]

In the face of Western condemnation and isolation, Zimbabwe has also found an ally in Iran. During a 2006 visit to Tehran, President Mugabe reportedly secured commitments from Iran for direct aid and Iranian assistance to its energy, agriculture, and mining industries. Reports indicate that Iran may also provide technical assistance to Zimbabwe to revive the country's only oil refinery, built 40 years ago to process Iranian crude. Most of Zimbabwe's fuel comes by road from South Africa, but the country has insufficient foreign currency to import fuel in bulk through a pipeline from the nearest port, Beira, Mozambique to Zimbabwe.

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[136] "Mugabe Rules Out Zimbabwe's Return to the Commonwealth," *AFP*, December 16, 2003.

[137] "Beijing Quietly Cools Relations With Mugabe," *Financial Times*, June 5, 2007.

[138] Defense analysts describe the K-8 as a trainer jet with light ground attack capabilities. Zambia and Namibia have likewise purchased K-8s from China.

[139] EIU, "The Government is to Buy More Jets from China," September 15, 2006.

In spite of Mugabe's assurances of Iranian assistance, some observers suggest Iran may not meet his expectations. Despite an agreement signed by the two countries in 2005, little financial assistance appears to have been provided. As one economic advisor points out, "At the end of the day, whether its China or Iran, investors want one thing: a return on their investment and they do not seem to believe they can get that return (from Zimbabwe)."[140] Likewise, Mugabe, traveling to Beijing in 2005 to request assistance to deal with the country's foreign exchange shortfall and fuel shortage, received a scant $6 million for grain imports reportedly because Zimbabwe was deemed unworthy of significant investment.[141] Although Mugabe did secure a $200 million buyer credit loan from China to promote agricultural production (reportedly the largest loan to Zimbabwe since western donors ceased lending in 1999), China has dismissed reports that the countries were negotiating a much larger $2 billion loan meant to revive the country's flagging economy.[142]

In addition to investment and economic assistance, Zimbabwe's Asian partners have offered diplomatic support. A Chinese official visiting in 2004 said that his government "appreciates the reasons for the land issue" and was opposed to any interference by foreign governments.[143] China played a lead role in trying to quiet U.N. efforts to condemn Zimbabwe for Murambatsvina, and is expected to veto any proposed action by the Security Council to punish the Mugabe Administration. Iranian President Mahmoud Ahmadinejad expressed support during Mugabe's visit, saying "We believe Zimbabweans have every right to defend their sovereignty and land. We are happy that Zimbabwe has once again taken control over its resources and we support the land redistribution programme ... We strongly condemn the bullying tactics of a number of (Western) governments against Zimbabwe."[144]

Nigeria. Although an observer team from Nigeria endorsed the 2002 presidential election in Zimbabwe, Nigeria's former president, Olusegun Obasanjo, attempted to mediate the country's crisis. He was reportedly concerned about the consequences of the Zimbabwe situation for the credibility of the New Partnership for Africa's Development (NEPAD). NEPAD is an initiative aimed at demonstrating Africa's capabilities for resolving its own problems in exchange for increased aid, trade, and investment.[145] Obasanjo supported Zimbabwe's suspension from the Commonwealth, and in 2004, he held a long discussion with Tsvangirai and an MDC delegation in the Nigerian capital. The Nigerian leader then took the Zimbabwe

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[140] Excerpt from South Africa-based website *ZimOnline* in "Zimbabwe Leader 'Frantically' Seeking Allies," *BBC Monitoring Africa*, November 23, 2006.

[141] "China Aid 'Snub' to Enable South Africa to Extract Concessions from Zimbabwe," *BBC Monitoring Africa,* August 1, 2005.

[142] "Zimbabwe, China to Negotiate $2 Billion Dollar Loan Deal," *AFP*, December 22, 2006 and China and "Beijing Cools on Mugabe China in Africa," *International Herald Tribune,* May 4, 2007.

[143] "Chinese Envoy Supports Zimbabwe's Land Reforms," *AFP*, November 2, 2004.

[144] "Iran Slams Sactions Against Zim," *AllAfrica,* November 22, 2006.

[145] See CRS Report RS21353, *New Partnership for Africa's Development (NEPAD),* by Nicolas Cook.

visitors on a personal tour of his farm — an unusual privilege.[146] After the 2005 elections, Obasanjo met again with Tsvangirai, and the government-owned Herald newspaper accused the Nigerian president of funding the MDC.[147] The country's new president, Umaru Yar'Adua, has expressed his own concern with the situation in Zimbabwe, telling journalists at a German-African summit in October 2007 that developments in the country were "not in conformity with the rule of law."[148]

South Africa. President Thabo Mbeki's "quiet diplomacy" toward Zimbabwe has drawn criticism from some for its slow pace and seeming lack of results. However, some analysts point out that Mbeki's reluctance to openly confront or condemn President Mugabe is understandable on a number of grounds. Mugabe lent aid and shelter to the African National Congress (ANC), now the ruling party in South Africa, during its long struggle against white minority rule, creating a bond of gratitude. Mugabe enjoys considerable popularity around Africa and in South Africa itself, not least because of his moves to seize lands owned by comparatively wealthy white farmers, and this may constrain Mbeki as well.

Nonetheless, many are dissatisfied that South Africa, which is immensely more powerful than neighboring Zimbabwe, and which has extensive control over Zimbabwe's transport links to the outside world, as well as over its electricity supplies, has not been able to do more to improve the Zimbabwe situation. As Zimbabwe's largest trading partner, many consider South Africa in a position to exert substantial leverage. At the same time, South Africa must weigh the unintended effects of such leverage — state collapse across its northern border could produce a sharp increase in illegal migration and have a substantial impact on South Africa. Some estimate that three million Zimbabweans have fled into the country, which is reportedly deporting an average of 3.900 Zimbabweans per week.[149]

Through his policy of engagement, President Mbeki has attempted to bring the Zimbabwean government and the MDC together to discuss Zimbabwe's future. Mbeki's offer of economic incentives and an exit strategy for Mugabe in exchange for negotiations with the opposition and a commitment to free and fair elections have, to date, been unsuccessful. In 2005, as the IMF threatened to expel Zimbabwe from the Fund for debt payment arrears, the country requested a loan from South Africa for fuel, food, and electricity, as well as to address the IMF payments. Amid rumors that the South African government would make any loan conditional on economic and political reforms, the negotiations stalled and Mugabe found another source from which to repay the IMF dues.[150] In early 2006 speech, Mugabe warned Mbeki that he should "keep away" from interference in Zimbabwe's affairs.

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[146] September"Nigeria Rolls Out Red Carpet for Tsvangirai," *Zimbabwe Standard*, November 15, 2004.

[147] "The SA, Nigeria, and MDC Connection," *The Herald*, November 6, 2005.

[148] "Hotfoot from Harare," *Africa Confidential*, Vol. 48, No. 24, November 30, 2007.

[149] Michael Wines, "Influx from Zimbabwe to South Africa Tests Both," *New York Times*, June 22, 2007.

[150] "Zimbabwe Pays Part of IMF Debt," *Washington Post*, September 2, 2005.

Mbeki's Zimbabwe policies have drawn criticism from within his country; former President Nelson Mandela, Nobel laureate Archbishop Desmond Tutu, former opposition leader Tony Leon, and even the ANC's ally, the Congress of South African Trade Unions (COSATU), have been vocal detractors. COSATU, South Africa's powerful labor confederation, strongly opposes the quiet diplomacy policy. A certain sympathy on the part of COSATU toward the MDC may be inevitable, since the MDC has its roots in the union movement. COSATU delegations have been forcibly expelled from Zimbabwe twice, first in 2004 and more recently in late 2006, when COSATU members traveled to Harare to express their support for the ZCTU after the incidents of police violence. One COSATU leader remarked, "we are not quiet diplomats," and "we will not keep mum when freedom does not lead to respect for workers and human rights."[151] When the Mbeki government issued a terse initial statement following the March 2007 arrest of MDC and civil society activists, COSATU criticized the government for a "disgraceful" response, "in the face of such massive attacks on democracy and human rights, especially coming from those who owed so much to international solidarity when South Africans were fighting for democracy and human rights against the apartheid regime."[152]

Defenders of President Mbeki's approach argue that he is the only leader with the influence and prestige needed to sway Mugabe. Some claim that Mbeki and South African diplomats have already made a contribution in Zimbabwe — helping to prevent the country from slipping into anarchy in 2002, for example.[153] Some observers expressed hope for Mbeki's mediation role when the President and Morgan Tsvangirai met in October 2004, after Tsvangirai's acquittal. Tsvangirai, who had been critical of quiet diplomacy in the past, said after the meeting that he welcomed President Mbeki's efforts to mediate.[154] But Mbeki stunned the MDC and many supporters of democracy in Zimbabwe in March 2005, when he told a press conference that he had "no reason to think that anyone in Zimbabwe will militate in a way so that the elections will not be free and fair." He insisted that "there will be a free and fair election in Zimbabwe" and that "things like access to the public media, things like violence-free election have been addressed."[155] Earlier, he had termed Secretary Rice's description of Zimbabwe as an outpost of tyranny as "an exaggeration."[156] These remarks have left critics questioning the substance behind Mbeki's diplomacy.

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[151] "We Are Not Quiet Diplomats," *Daily Mail and Guardian* (Johannesburg), November 5, 2004.

[152] "South Africa Ends 's 'Silence' on Zimbabwe, Urges Harare 'to Respect Rule of Law,'" *BBC Monitoring Africa*, March 14, 2007.

[153] ICG, *Zimbabwe: Another Election Chance*, 14.

[154] "Tsvangirai Changes Tune on Mbeki's Quiet Diplomacy," *Business Day*, October 29, 2004.

[155] "Mbeki Pays Tribute to Zimbabwe, Says Polls Will Be Free and Fair," *AFP*, March 2, 2005.

[156] "Mbeki Criticizes U.S Over Zimbabwe," *BBC*, February 22, 2005.

The future of South Africa's policy toward Zimbabwe may be determined at the ANC's national conference in December 2007, when the party chooses Mbeki's successor, who will likely succeed him as President of South Africa after the 2009 national elections.[157] Among the possible candidates, former Deputy President Jacob Zuma, who has been plagued by scandal, has referred to the Zimbabwean president as "a monster," but has defended Mbeki's quiet diplomacy.[158] Analysts contend businessman Tokyo Sexwale, who spent ten years as a political prisoner with Nelson Mandela, might take a stronger approach. Sexwale has criticized Mbeki's policy, saying, "When a freedom fighter takes a wrong step, it is time for other freedom fighters to stand up and say 'we know you are a great man, but we cannot support what you are doing.'"[159] He has suggested that the Zimbabwean government may be ignoring Mbeki's efforts, and that it may be time to "turn up the volume."[160]

The African Union. The African Union (AU) and its predecessor, the Organization of African Unity (OAU), have been supportive of Mugabe in the past. In 2002, an OAU observer team labeled Mugabe's election victory legitimate, free, and fair. In July 2004, when the AU allowed a report critical of the Mugabe regime to be circulated at its annual summit, some believed the regional body might be indicating a change in its approach. The 114-page report, prepared by a delegation from the African Commission for Human and People's Rights (ACHPR) that visited Zimbabwe in 2002, reportedly criticized the Zimbabwe government for police abuses, press censorship, and compromising the judiciary.[161] The AU tabled the report at the summit, however, and declared it would keep its contents secret until Zimbabwe has had a chance to respond in detail. According to some media reports, the Zimbabwean government used procedural regulations and technicalities to prevent its release.[162] The ACHPR passed a resolution in December 2005 calling on the "government of Zimbabwe to respect the fundamental rights and freedoms of expression" and to allow a second fact-finding mission to enter the country. The ACHPR resolution was hailed by human rights advocates, who suggested, "This will exert a lot of pressure on Zimbabwe - this is the first time such a significant body, so close to African heads of state, observes and condemns such defiance of human rights compliance."[163] But like the previous report, the second mission's findings

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[157] Mbeki may chose to stand again as ANC President. He is, however, restricted by term limits from serving another term as President of the country.

[158] "I'm No Mugabe, but I Have Sympathy for What He Has Done," *The Sunday Telegraph* (London), November 26, 2006.

[159] "Chorus of Disapproval Grows As Sexwale Speaks Out on Mugabe," *Zimbabwe Independent*, October 6, 2006.

[160] "Zimbabwe 'Ignoring' SA Diplomacy," *BBC*, May 15, 2007.

[161] "AU Report Slams Erosion of Rule of Law," *Zimbabwe Independent*, July 16, 2004.

[162] "It's the Very Leaders Who Are Denying the People Their Justice," *Financial Gazette*, July 20, 2006.

[163] "African Union Slams Human Rights Record," *IRIN*, January 3, 2006.

were rejected by the AU's Council of Ministers in 2006 because of "irregularities and procedural flaws."[164]

Some observers and international human rights organizations such as the International Press Institute (IPI), suggest that the AU's repeated rejection of ACHPR resolutions on Zimbabwe tarnishes the integrity of the body. As one AU official warned, "If we continue to throw out every human rights report that comes before us, people out there will stop taking us seriously."[165] IPI also suggests that refusal of the AU to act on the ACHPR resolutions or to condemn human rights abuses in Zimbabwe damages the credibility of the African Peer Review Mechanism (APRM) initiative, a vital part of the New Partnership for Africa's Development (NEPAD).[166]

Criticism from the AU may have little effect on Mugabe regardless, unless it is accompanied by more substantial policy changes toward his administration. Zimbabwe has routinely ignored its detractors and frequently denies those who might be critical of the regime access to the country. In 2005, AU Commission Chairman Alpha Konare sent Tom Nyanduga, Special Rapporteur on Refugees, Internally Displaced Persons, and Asylum Seekers in Africa, as his envoy to investigate Operation Murambatsvina. The Zimbabwean government prevented Nyanduga from conducting his assessment and deported him, accusing the envoy of "western collusion and agenda adoption."[167]

SADC. Many of the 14 members of the Southern African Development Community (SADC) are linked to Zimbabwe by a common historical experience, as well as cultural and economic ties, and the organization has been seen as disinclined to condemn the actions of President Mugabe's regime. At its August 2004 summit in Mauritius, SADC approved new electoral principles and guidelines for all its member nations.[168] Analysts were hopeful that these rules might motivate meaningful democratic reforms in Zimbabwe, particularly since they laid out detailed guidelines for SADC observer missions.[169] The signatory countries, including Zimbabwe, are pledged to allow SADC observers freedom of movement and access. As noted above, the SADC observer delegation's favorable report for Zimbabwe's 2005 elections was considered by critics of the Mugabe administration to be disappointing.

Although Mugabe's neighboring leaders have not singled him out for criticism, they do appear increasingly concerned with the impact of Zimbabwe's crisis on their

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[164] International Press Institute, "IPI Disappointed By African Union's Slow Progress in Criticizing Zimbabwe's Record on Human Rights, Press Freedom,"April 4, 2006. IPI is a global network of editors, media executives and leading journalists in over 110 countries that promotes press freedoms and journalistic standards.

[165] "Mkapa Has a Long Shot at Moving 'Bad Boy' Mugabe," *AllAfrica*, August 25, 2006.

[166] For further information on the APRM and NEPAD, see CRS Report RS21353, *New Partnership for Africa's Development (NEPAD)*, by Nicolas Cook.

[167] "Harare Raps African Union Human Rights Body," *U.S. Fed News*, July 6, 2005.

[168] *SADC Principles and Guidelines Governing Democratic Elections* (Adopted by the SADC Summit, Mauritius, August 2004). Available at [http://www.iss.co.za].

[169] ICG, *Zimbabwe: Another Election Chance*, 13.

own countries. Southern African leaders blamed Zimbabwe and Swaziland for undermining economic growth in the region at a SADC Summit in Lesotho in August 2006. Botswana has spoken out in the past on regional problems attributed to Mugabe's policies, including the burden placed on the country by Zimbabwe's refugees. In March 2007, following the arrest of Tsvangirai and other opposition members, Tanzanian President Jakaya Kikwete traveled to Harare to discuss the incident, and after the SADC summit, President Mbeki was nominated as mediator.

Prospects for the Future

The future of Zimbabwe, in the short term, appears grave. Inflation and the cost of living remain on the rise, and the country's agriculture industry shows little sign of recovery. Prospects for Zimbabwe's youngest generation are equally grim. Primary school attendance has reportedly dropped almost 25% since 2000 (some reports suggest enrollment may have dropped a further 25% as a result of Murambatsvina), and the cost of school fees rose 250% in December 2006 alone. Many families are unable to afford basic food items, not to mention medicines or doctors. Analysts have cited a number of reasons for Zimbabwe's economic problems, including recurrent drought, difficulties encountered in implementing economic reforms, and industrial competition from comparatively cheap South African imports.[170] At the same time, analysts place considerable responsibility for Zimbabwe's problems on the policies adopted and actions taken by the government since 1997. The government has taken some fiscal measures to reverse the economic downturn, but as hyperinflation continues to rise, they have been largely ineffective.

The government of Zimbabwe has displayed little respect for the rule of law, which has, according to reports, in turn deterred desperately needed foreign investors. While President Mugabe's allies may maintain their diplomatic solidarity, financial support could dwindle if they do not see a return on their investments. Likewise, the African solidarity on which Mugabe has relied may be waning as countries consider the impact of his policies on their own countries. Nigeria, Botswana, and Zambia, for example, have become increasingly critical. Experts will watch with interest the outcome of South Africa's succession contest, which could precipitate a change in the country's policy toward its neighbor.

Ultimately, Mugabe's greatest challenge may come from within. If reports of frustration within his own party are accurate, the President may find it more difficult to mobilize party resources for his campaign than in past elections. If the GDP continues its decline, his government will also find itself with dwindling resources from which to draw to maintain support from its civil servants and its security forces.

There have already been signs of unrest — doctors in public hospitals across the country went on strike for better wages in early 2007, as did workers at Zimbabwe's only electricity provider, leading to power outages throughout the country. Over

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[170] Teddy Brett and Simon Winter, "Origins of the Zimbabwe Crisis," *Focus* (Helen Suzman Foundation), June 2003.

1,000 soldiers have reportedly deserted, fleeing to South Africa.[171] Nevertheless, the opposition remains divided and, some observers contend, disorganized. The Mutambara faction proved unable to defeat ZANU-PF electorally in late 2005, and neither faction has been able to win seats in recent by-elections.

As Zimbabwe's economy continues to collapse, the country's political situation may be approaching a critical juncture. Some have suggested that there are members of the ruling party who may be amenable to negotiations with the opposition over the establishment of a transitional government with representation from both parties, to be followed later by general elections. The opposition's role in Zimbabwe's political future may depend on its ability to present a unified and credible alternative to the Mugabe government, as well as its willingness to work with moderate elements of ZANU-PF.

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[171] "Zimbabwe Army's Deserters Underscore Country's Economic Troubles," *Christian Science Monitor,* April 25, 2007.

Figure 1. Map of Zimbabwe

Source: Map Resources. Adapted by CRS. (K.Yancey 11/12/04)