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Zimbabwe's reforms

An exercise in credibility - or pretence?

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Summary

Zimbabwe is again facing major political and economic challenges. Prospects for recovery under the leadership of 92-year-old Robert Mugabe and his chief lieutenants in the Zimbabwe African National Union-Patriotic Front are looking increasingly bleak. The government has publically committed itself to a reform process that is intended to help reconnect to international channels of credit and investment and an underlying confidence in the country's potential to bounce back remains. The international community supports these endeavours, but convictions are being tested as headway is stymied by a combination of internal and external exigencies that have exposed the limitations of a political leadership desperate to maintain its hegemony, but clearly running out of options.

THE ZIMBABWEAN GOVERNMENT claims commitment to a reform agenda that its adherents believe will underwrite its recovery. Yet it faces an increasingly uncertain future, unable to implement this agenda, buffeted by a host of internal and external exigencies. It appears on course for yet another disputed election in 2018.

Since its controversial victory in the 2013 polls, the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and its leader, 92-year-old Robert Mugabe, have presided over an economic decline that has again brought the country to its collective knees, exacerbating unprecedented turmoil within the ruling party and prospects of further state disintegration. Prospects for recovery that had improved during the government of national unity (2009–2013) have narrowed considerably as social and economic conditions worsen, political uncertainties intensify and the state limps from month to month as finances dry up. Drought has crippled crop

production, leaving four million people (30% of the population) requiring food aid.

Zimbabwe's recovery is posited on financial and economic reforms that it is hoped will rebuild the confidence necessary to attract investment and improve options to access new lines of credit. An immediate injection for budget support is urgently needed. This means the country will build on an already unsustainable debt burden, forward mortgaging diminishing assets, as the foundation for anticipated recovery. An array of governance and law and order reforms are also expected. The government and ZANU-PF are ostensibly committed to these reforms that are central for reengagement with international financial institutions and some key Western interlocutors.

New rules also don't automatically translate into new behaviour; ZANU-PF's history of selective engagement with the law is well documented

These assurances extend to the alignment of existing laws with new constitutional obligations. Many are confident Zimbabwe has the technical competencies to deliver, but evidence of commitment in terms of tangible gains is wanting on multiple fronts. Political support has been partial, inconsistent and largely tepid, underscoring a dawning reality that the imperatives of retaining ZANU-PF hegemony, the inevitability of Mugabe leaving office and the related factionalism around succession fundamentally stifle prospects for reform and, by extension, narrow options for engagement.

Certainly there has been a degree of progress: there is engagement where previously there was none; there is greater consistency in terms of rhetorical support for reform and the development of policy commitments; anti-Western rhetoric has been substantially dialled back, although crude reactions to recent anti-government protests reflect entrenched prejudices; new laws and regulations have also been introduced or are in the pipeline. But engagement is selective, policy statements often incoherent and serious questions remain about government's commitment to deliver. New rules also don't automatically translate into new behaviour; ZANU-PF's history of selective engagement with the law is well documented.

A combination of external and internal factors has reinforced a trajectory of economic decline, which shows little sign of being arrested. The announcement by the Reserve Bank in early May that 'bond notes' would be introduced to contain a debilitating liquidity crunch (not as an alternative currency, but rather as a convertible resource that would be used as an export incentive to boost local production and by extension foreign exchange earnings) further undermined domestic and international confidence.

Struggling to pay a punishing salary bill, the government announced in mid-June that pay day for sections of the security forces had been pushed back

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AID DUE TO DROUGHT

by a fortnight. In 2008, a similar situation prompted members of the army to riot. The situation has worsened in July and August, provoking a public backlash and protest. A national stayaway in early July, supported by several social movement initiatives (#This Flag and Tajamuka) who have captured the imagination of many ordinary Zimbabweans. Tensions have been visibly mounting and the momentum for more protest is growing. The state has a limited repertoire of options to respond with, so far falling back on its traditional modes of repressive policing allegations and threats.

Increasingly, these challenges are exposing the limitations of ZANU-PF's commitment to reform, which selectively addresses symptoms rather than underlying causes. Endemic corruption and the legacy of a state infused by partisan political interests are unlikely to be tackled effectively if this undermines powerful ruling party interests, especially ahead of elections. Recent admissions by Mugabe and Vice President Emmerson Mnangagwa regarding the revenue from the Marange diamond fields and endemic corruption in Zimbabwe's Anti-Corruption Commission respectively are significant, but unlikely to be resolved. The auditor-general has identified a multiplicity of instances of malfeasance in government ministries and state-owned enterprises; new legislation on public sector governance is in the pipeline, but accountability for corrupt and fraudulent behaviour will be marginal, at best.

Possibilities for implementing reform remain firmly in ZANU-PF's hands. Beyond the processes already in play, an array of options that would demonstrate its proactive commitment are available; these include the removal of controversial legislation such as the Indigenisation and Economic Empowerment Act and associated regulations, a comprehensive and public audit of civil service employees and land beneficiaries, a serious commitment to routing out corruption and tasking the office of the auditor-general to investigate financial flows relating to the Marange diamonds. Building much needed domestic confidence also requires a shift in attitude towards political opponents and civil society — a departure from a tendency for hostile berating and exclusionary politics. Government's belligerent reaction

to recent protests however reflects the perpetuation of a besieged mentality.

Limited progress has been made in some parts of the associated parliamentary processes, but these developments are detached from the corridors of power and decision-making, acutely limiting prospects for oversight of the executive. At the very least, the government must demonstrate a clear commitment to the framework of reform outlined in its own strategy documents. Such action would help open the door to new lines of credit and the removal of (in particular US) sanctions. The notion that Zimbabwe is on the brink of a financial deal that will propel it to recovery is increasingly losing traction as reform is held hostage to political interests.¹

In fact, in the current climate, Zimbabwe's incremental reforms are likely to have only limited tangible benefits at best for the majority of its citizens. It is unlikely they will catalyse a change in political culture and finally arrest the government's financial delinquency, or significantly improve governance and accountability, or encourage adequate investment to kick-start key sectors of the economy necessary for a broad-based recovery. Instead the course appears set for continued economic decline, internecine political machinations and growing potential for violence, resistance and repression.

Africa's oldest leader shows no sign of wanting to leave, repeatedly proclaiming there is no vacancy at the top

Unresolved tensions relating to Mugabe's pending succession and widespread anxieties accompanying factional fights for control and survival within ZANU-PF have weakened the party considerably, but not (as some predict) terminally. The purging of former vice president Joice Mujuru and a phalanx of senior leaders in December 2014 unsurprisingly exacerbated internal frictions; new divisions between the supporters and opponents of Mnangagwa, regarded by many as 'heir apparent', have erupted in open hostilities that Mugabe has struggled to manage. Africa's oldest leader shows no sign of wanting to leave, repeatedly proclaiming there is no vacancy at the top, prohibiting any talk of succession;² he remains ZANU-PF's official candidate for the 2018 elections.

Mnangagwa is regarded by many as best positioned to succeed, but he is not popular and his elevation is not guaranteed. As the leader of government, he is seen as responsible for pushing forward on the reform agenda, but the uneven and limited nature of these reforms reflects the limits of his own ability (and support) to secure this new policy trajectory. He faces stiff resistance from a grouping of senior ZANU-PF figures, collectively referred to as Generation 40 (G40), who have increasingly secured the First Family's support, whilst engineering the removal of some of his key supporters from powerful positions in both party and state. G40 elements and others who owe their positions to Mugabe need him to remain at the helm for as long as possible to help consolidate their own positions.

Ongoing dialogue between government and its detractors represents progress of sorts; but it remains unclear to what end

Until the last few months, the political opposition has been unable to take advantage of ZANU-PF's discord; the Movement for Democratic Change – Tsvangirai (MDC-T) remains the bulwark of visible opposition, despite damaging rifts resulting in the breakaway of senior leaders. The formation of Mujuru's new political party, Zimbabwe People First (ZPF), in March 2016 brings an indeterminate new dynamic to opposition politics as it remains unclear what support she brings with her from within ZANU-PF's ranks. Opposition formations are now talking with one another, and smaller parties appear to be coming together. Rumours abound that elements in ZANU-PF have also started talking to the opposition to explore opportunities. Prospects of a grand coalition or even a broad alliance to challenge ZANU-PF at the 2018 polls have recently gathered some impetus.

Zimbabwe was removed from the agendas of the Southern African Development Community (SADC) and the African Union (AU) in 2013, its reward for delivering a peaceful election the region could claim had adequate credibility. This paved the way for Mugabe to become SADC chair (from August 2014 to August 2015) and AU chair for 2015. The opposition was flatfooted by the scale of their defeat and effectively forced to accept the result of a process many believe they should have boycotted. Western countries were also taken by surprise, but faced with the fait accompli of ZANU-PF incumbency, they moved forward with varying degrees of constructive engagement that had its genesis during the period of inclusive government.

Unlike the United States (US), which maintains the line set out in its sanctions legislation (The Zimbabwe Democracy and Economic Recovery Act – ZDERA) that reform must be forthcoming before sanctions can be removed, the European Union (EU) and others have adopted an approach that seeks to incentivise through engagement, reflected in the renewal of and

2013

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movement towards normalising development cooperation and an implicit acknowledgement that its previous policy of restrictions has failed. With limited tangible progress, however, the cost benefit of this shift is increasingly moot; the EU and others recognise that an array of fundamental deficits remain in play and publically articulate a singular and increasingly strident message that the Zimbabwean government must 'walk the talk'; specifics are messaged more diplomatically behind closed doors.

Having secured some measure of traction after years of disengagement and antipathy, ongoing dialogue between government and its detractors represents progress of sorts; but it remains unclear to what end. Critics suggest this approach may have enabled ZANU-PF to play the theatre of reform without in fact addressing the fundamental problems related to its political dominance of the state, and the systemic challenges of corruption and patronage politics. Some harshly suggest the purveyors of constructive engagement have naively enabled ZANU-PF's longevity, and that the new approach veers dangerously towards appeasement.

The momentum for political reform receded in the face of diminished opposition representation and debilitating internal rivalries

A more robust approach, both publically and behind closed doors, is necessary, and assessments of progress will continue to be hampered by the absence of a clear framework of agreed indicators and benchmarks. This should not impinge on maintaining a flexible approach to reform implementation, but would enable a more accurate assessment of progress, and should be put in place urgently. As the US points out, many of the issues that led to the introduction of measures against the government remain unresolved. At one level, the Zimbabwean government has begun to talk about these, including some sensitive issues such as compensation for farm seizures and tenure, but demonstrable actions to remedy them are largely absent and an array of other concerns are not even under discussion.

Elections will be held in approximately two years; a free, fair and inclusive democratic process, however,

is doubtful. An array of election issues that were identified by both SADC and the AU in 2013 have not been addressed; election laws have not been aligned appropriately to constitutional requirements; the voters' roll remains inaccessible, its quality deeply compromised; the government acknowledges the diaspora has a right to vote, but points to the current provisions in the Electoral Act that citizens in the diaspora can vote only if they are registered and vote in their home constituency.³

Few believe the Zimbabwe Election Commission (ZEC) can break free of its political moorings, as evidenced by its limited attempts to build broader confidence amongst ordinary Zimbabweans. The recent reappointment of commissioners who presided over and endorsed the controversial 2008 elections undermines confidence further. Although the EU and its member states provide significant support to the government, it's unlikely the ban on EU election observers will be lifted, or that the EU will even ask them to do so.

The politics of reform: much ado about nothing

The call for political and economic reform in Zimbabwe has been a constant refrain for almost two decades. For ZANU-PF, reform necessitates the reconfiguration of the economy and ownership, centred on its controversial land reform and more recently indigenisation policies. It is a selective agenda wrapped in revolutionary rhetoric intended to correct discriminatory historical legacies, but that in practice has been employed to buttress ZANU-PF's political hegemony against growing opposition to misrule, and to feed political patronage and self-enrichment.

Opposition formations and many civil society groups seek the removal of ZANU-PF, calling for reforms that would strengthen governance and the rule of law and tackle the array of democratic deficits that underwrite ZANU-PF's incumbency. For the most part, ZANU-PF has rebuffed these calls, accusing its proponents of pursuing a regime change agenda directed by external interests and has employed an array of repressive measures to undermine its opponents, culminating in a terror campaign, the illegitimate June 2008 elections and regional intervention.

The negotiated 2008 Global Political Agreement provided a framework for comprehensive reform, although this was largely avoided; many aspects of this reform were

'parked' in the new Constitution adopted in February 2013 and remain subject to a contested terrain of constitutional alignment. This includes the reworking of over 400 pieces of legislation, and the introduction and/or reconstitution of new democracy-supporting bodies.⁴ In addition, several high-profile cases challenging existing statutes have been brought before the Constitutional Court, although numerous issues remain unattended. SADC, opposition and civil society groupings pointed to an array of reforms that should have been addressed before the 2013 polls, but ZANU-PF's victory enabled these to be pushed aside, instead elevating its own transformation agenda under the policy prescripts of the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZIM-ASSET).⁵

The momentum for political reform receded in the face of diminished opposition representation and debilitating internal rivalries; funded civil society has also recalibrated as the realities of the resuscitated ZANU-PF incumbency prompted a move towards constructive engagement, encouraged by donors keen to re-engage. Consequently, robust critique of civil and political concerns has been stifled on multiple fronts, as economic and financial sector reforms have moved centre stage.

The momentum for political reform receded in the face of diminished opposition representation and debilitating internal rivalries

Deteriorating economic conditions have exposed the limitations of ZANU-PF's campaign promises that ZIM-ASSET and/or that government's 'Look East' policy provide realistic options to kick-start recovery. Conditions on every front have in fact worsened. Desperate for new credit lines, the government focused more on reconnecting with international creditors; it introduced a Staff Monitored Programme (SMP) with the International Monetary Fund (IMF) intended to demonstrate a commitment to repair relations severed by payment defaults and to correct its financial delinquency.

In this regard there has been some progress, ⁶ although this only lays the foundation for more fundamental reforms that are now required. Indeed, the SMP was not politically taxing, yet provided space for those promoting an incremental engagement agenda to demonstrate that the government was committed to mending its ways, albeit through this narrow lens of reform. ZANU-PF, it was argued, had no choice as economic conditions forced a reality check on its limited available options.

Mugabe's own broad endorsements for reform, outlined in a 10-point plan in his state of the nation and opening of Parliament speeches in August and September 2015, were a tacit admission of his government's policy failures. Significantly, he delivered these speeches without his stock allegations that sanctions and Western powers were responsible for Zimbabwe's impoverishment. His support enabled Finance Minister Patrick Chinamasa

>\$2 billion

THE NUMBER OF TREASURY
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IN MOTION

and Reserve Bank Governor John Mangudya to present government's reform strategy to development partners and creditors in October 2015. The plan set out an incremental agenda that would secure funds to pay debt arrears (estimated at almost \$2 billion) by mid-2016, which would enhance prospects for accessing new lines of credit. It was well received, but curiously not shared with ordinary Zimbabweans, until it was leaked four months later. In

The timeline for arrears repayment has already shifted and is contingent on accessing new loans that creditors must have confidence will be honoured. This process must also be complemented by bold policy reform measures aimed at debt sustainability and improving the socioeconomic environment. The IMF acknowledges progress in some of these areas, but continues to highlight key issues that require urgent government attention. These include:

- Reducing the civil service wage bill and re-orienting spending priorities.
- Improving debt management and administration of revenue administration.
- Improving the business environment, including clarity on indigenisation provisions and land reform (including a framework for compensation) and improved transparency in the mining sector.
- Reform of state owned enterprises.
- Tackling corruption. 13

Reform in these areas is hampered by acute resource constraints, and as economic growth slows, the government is being squeezed on every front. Whilst trying to raise funds to underwrite payments for its debt arrears, it has been forced to borrow heavily elsewhere, simply to keep the state functioning and to finance its ballooning budget deficit, exacerbated by a worsening balance of payments crisis and an unsustainable wage bill for public servants.

Limited success in reducing expenditure in some areas belies the fact that over \$2 billion of Treasury Bills have been issued to keep the wheels in motion. This means government must now find an additional \$250 million annually to service this new debt. This deficit is also at the heart of a crippling liquidity crunch that has further

undermined confidence in Zimbabwe's shaky banking system.

Even if financing to cover debt arrears is secured¹⁶ – by no means straightforward or at this stage guaranteed¹⁷ – progress in these reform areas will determine prospects for the approval of new loans. The IMF Executive Board meeting with the World Bank and African Development Bank in September will assess progress but conditions are not in place to secure new lines of credit at this juncture. Unlike the SMP, there must now be substantial headway around issues such as civil service cuts that have thus far been avoided. Although technically not engaged on a political platform, progress around sensitive law and order, governance and human rights issues will be required to secure US buy-in.¹⁸

As economic growth slows, the government is being squeezed on every front

But headway in these areas is patchy at best, and unlikely to be pursued with any vigour in the run-up to elections, which explains why many are sceptical and believe it is premature to discuss new funding. ¹⁹ Government is trying to tick the requisite boxes by meeting with civil society and business groupings, but this has not arrested depreciating levels of confidence. ²⁰ Indeed, there is a strong feeling that the 'theatre of reform' belies a political agenda to retain political hegemony. ²¹

An assessment of progress therefore requires a more robust assessment of major implementation challenges.

Civil Service/Public Sector Wage bill

The wage bill for civil servants, including those attached to the security and intelligence sectors, has grown dramatically, in turn preventing much needed expenditure on public investments and social services.²² There is still considerable ambiguity about the size and makeup of the civil service,²³ and where cuts will be made.²⁴ How government addresses this challenge will be a primary indicator of its intent. But progress, even of an incremental nature, appears to have been made only glacially since the promises by the finance minister in December 2014.

In mid-April 2016, Chinamasa told the IMF that the government would retrench workers and freeze salaries as part of its strategy to reduce the wage bill to 50% of total expenditure by 2019.²⁵ What this means in practice remains unclear and has already been contradicted; at Independence Day celebrations, Mugabe promised civil service salaries would be increased to match the poverty datum line.²⁶ And Public Service, Labour and Social Welfare Minister Prisca Mupfumira told a gathering on Worker's Day that there will be no job cuts.²⁷

Government claims over 300 000 people benefitted from land reform, but there has been little transparency around the process

It is difficult to see how government will cut public spending, lay off civil servants and privatise state-owned enterprises (with accompanying job losses) ahead of the elections, leading some to suggest that progress on this front may be delayed until after the polls. But the wage expenditure, now estimated at 83% of government expenditure, continues to tighten the noose around government, as evidenced by its increasing difficulties in honouring due payments timeously. This has exacerbated tensions with what remains the country's last bastion of formal employment.

Indigenisation

The implementation of Zimbabwe's Indigenisation and Economic Empowerment legislation and its regulatory framework remains a litmus test for government reform. Introduced in 2008, the controversial legislation, designed to promote and impose indigenous Zimbabwean ownership of foreign firms, has been central to ZANU-PF's economic transformation agenda and an important tool in its populist posturing. But there has been a consistent and 'wide disjuncture between the law (as it is), government pronouncements of the law (as they would like the public to believe it to be) and the policy in practice'.³¹ This confusion was identified as a central obstacle by donors and international financial institutions, who have consistently called for 'clarification' on key aspects of the law.

A commitment to 'simplify and streamline the investment process' was included in the government's Lima Strategy³² for clearing debt arrears and carrying out supportive economic reform. But following his appointment in September 2015, the Youth and Indigenisation Minister, Patrick Zhuwao, who is also Mugabe's nephew, vehemently contradicted efforts by Chinamasa to provide this clarification, at one point threatening to expel companies and seize their assets if they did not comply.

Mugabe allowed the confusion to prevail until mid-April 2016, finally reining Zhuwao in, acknowledging the confusion must be resolved and that a 'one size fits all' approach to indigenisation would not be adopted. He promised



ZIMBABWE'S WAGE EXPENDITURE IS ESTIMATED AT 83% OF GOVERNMENT EXPENDITURE

the confusion would be remedied, but another verbal commitment brought neither clarity nor certainty,³³ instead highlighting 'deep policy flaws and inherent confusion in government'.³⁴

How the legislation and its accompanying regulations are amended will be watched closely. Thus far, Zhuwao has sat on his hands in what several local economists have described as wilful resistance, an approach Mugabe either tolerates, endorses or is unable to control.³⁵ In the current economic quagmire, repealing the indigenisation law and replacing it with a coherent framework would significantly strengthen the reform agenda, but such a move is unlikely to pass political muster.³⁶

Land reform and compensation

How issues of property rights, compensation, unresolved issues of legal and illegal occupation and clarity on beneficiaries of the fast-track land reform programme are dealt with remain key indicators of the government's commitment to strengthening the rule of law. The government acknowledges that resolving these matters is central to prospects of boosting productivity on the land.

In mid-March 2016, Chinamasa tabled a memorandum in Parliament establishing a special fund responsible for raising and administering compensation payments for seized land. This is an important symbolic attempt to demonstrate government's commitment to compensate farmers evicted during the fast-track land reform programme. If successful, this could also help expedite unresolved tenure issues.³⁷ The state points out it has never denied its responsibility to compensate, but for what and at what rate has never been clarified.³⁸ The suggested compensation plan would entertain claims for land, improvements and equipment, signalling a major shift in government policy if adopted.³⁹

But projected compensation costs will run into billions of dollars and a compensation framework has yet to be worked out. There are scant available options to fund this; government acknowledges this and points out it will take some time to finalise settlements. Various funding suggestions have been mooted, including a special land compensation Treasury Bill (augmenting domestic debt), a land levy/tax on black beneficiaries of land reform and support from development partners.⁴⁰ Not surprisingly, many in the farming sector view these developments

with profound cynicism, given that these activities are necessary for scaffolding progress in the broader reengagement strategy.

Whilst government claims over 300 000 people benefitted from land reform, there has been little transparency around the process, who benefitted and how this was determined. This detail is likely to expose the extent patronage politics played, and continues to play, in the process. The government has instituted several land audits since implementing fast-track land reform, but none have been made public. A pilot land audit funded by the United Nations Development Programme in 2015 confirmed allegations that top government and ZANU-PF officials owned multiple farms.⁴¹

Government is now keen to focus on issues of issues of (under)utilisation rather than multiple ownership, and claims it is focused on downsizing and repossessing unproductive farms. This is likely to reflect mutating factional influences and it is difficult to see how they will convince international and domestic constituencies of their bona fide intentions to strengthen land reform without making details public of who benefitted, something many senior officials will want to avert.

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But how fixed is government support for reforms in this most sensitive issue? In a further effort to demonstrate commitment to the rule of law in early May 2016, the government issued eviction notices to 18 000 families who had occupied farms in the Midlands province without approval. In a context of widespread food insecurity and the increased vulnerabilities of rural populations, processes to determine who is on the land, legally or otherwise, has significant political import.⁴² A transparent and accountable process is therefore required.

A fortnight after Chinamasa's policy circular, Mugabe, whilst addressing a gathering of war veterans in Harare, suggested they should be able to seize land from the few remaining white farmers. ⁴³ Elsewhere, ZANU-PF heavyweights continue to threaten eviction. ⁴⁴ Unresolved disputes around ongoing farm acquisitions and land

invasions, the ownership and management of conservancies, as well as non-compliance with court orders, reflect an array of ongoing law and order challenges and highlight the importance of looking beyond a potential shift in national policy.⁴⁵

Transparency in the mining sector – the theft of Marange diamonds

Mining, along with agriculture, is touted as a key engine for economic growth and recovery. Current opacities in the sector have enabled fraudulent and corrupt practices; limited detail regarding government revenue and company payments is available. Greater transparency in all aspects of the value chain – contracts, licensing, production, and community share ownership – will be an essential part of promoting good governance and accountability.

The theft of diamond money has been an open secret for many years; questions as to who was involved, and to what extent they benefitted, remain unanswered

In February 2016, Mines Minister Walter Chidakwa announced government would nationalise mining operations in the controversial Marange / Chiadzwa diamond fields and ordered the eight companies active there, including those involving the military, to cease operations immediately. ⁴⁶ Chidakwa suggested the mining companies had been involved in looting and underhand dealings and that a new parastatal, the Zimbabwe Consolidated Diamond Company, would now take over. ⁴⁷

In March, Mugabe stunned Zimbabweans, claiming the mining companies operating in Marange had produced over \$15 billion worth of diamonds since 2009, but had accounted for less than \$2 billion. AB Mugabe claimed his government had been swindled and that 'our people who we expected to be our eyes and ears have not been able to see or hear what was going on'. AB There is a strong perception that these moves are part of the factional dynamics around succession and are designed to contain rent-seeking operations controlled by security elements aligned to Mnangagwa. 50

But government cannot claim it was unaware of goings-on at Marange; not only did it have a major stake in six of the Marange operations, a raft of local and international NGO reports, evidence from the Kimberley Process, and most significantly, the 2013 report of the Mines and Energy Parliamentary Portfolio Committee – the culmination of a four-year investigation – which provided detail on shortcomings, wrongdoings and related responsibilities. But no mention has been made of this by either Mugabe or Chidakwa, raising important questions about the government's apparent newfound commitment to transparency and accountability.

The theft of diamond money has been an open secret for many years; questions as to who in government, the security sector and ZANU-PF was involved, and to what extent they benefitted, remain unanswered. How



MINING IS TOUTED AS A KEY ENGINE FOR ECONOMIC GROWTH AND RECOVERY government will now follow through on its promised investigations will be indicative of its capacities and commitments to remedy this major challenge in governance.⁵¹

A history of sweeping such violations under the carpet does not engender confidence. Fe-admission into world diamond markets following the lifting of its suspension from the Kimberley Process was meant to improve transparency; it did not. It is unlikely Mugabe and his government will now promote a process that exposes the depth of ZANU-PF complicity in the malfeasance. A robust no-holds-barred investigation is 'not Mugabe's management style'. Sult how government remedies unanswered questions around the missing revenue, as well as the serious concerns now being raised about efforts to consolidate all operations under the new Zimbabwe Consolidated Diamond Corporation, is a key indicator of government's commitment to reform.

Understandable concerns remain that the nationalisation process is intended to 'close the books on years of systematic looting' and government complicity, as well as enabling the diamond companies to renege on their obligations to both government and local communities in Marange.⁵⁵

Tackling corruption

Whilst corruption has been the leitmotif of Zimbabwe's sorry diamond tale, it is but one aspect of the endemic corruption challenge facing the country.⁵⁶ In recent months, the government has repeatedly acknowledged this is a central concern.⁵⁷ But what is it doing about it?

A robust no-holds-barred investigation is 'not Mugabe's management style'

Institutional remedies have been uneven. Zimbabwe's Anti-Corruption Commission (ZACC) has been an unmitigated disaster, itself accused of corruption,⁵⁸ unable to meet its constitutional obligations.⁵⁹ On a more positive note, Auditor-General Mildred Chisi has undertaken an impressive set of investigations that have exposed the rot in multiple government ministries and state-owned enterprises. Two units have been established to follow up on Chisi's findings and recommendations; arrests and

prosecutions are expected.⁶⁰ The National Prosecuting Authority claims resources have been allocated to fight corruption, but that the country needs to set up specialist courts and reinvigorate the ZACC with powers to investigate and arrest.⁶¹

A recent editorial in the state media admitted interventions to date have been 'more talk and less action'. Reflecting on the introduction of a new law to address public sector corporate governance that will see corruption and other maladministration in the public sector criminalised, there are expectations in some quarters that a more systematic approach will be adopted.⁶² The new law provides for stricter oversight from line ministries and the establishment of a governance unit in the Office of the President. 63 But this is unlikely to result in any serious movement on corruption, which reflects a culture of self-enrichment, rent-seeking and patronage politics. Selective engagement can be expected, fuelled by factional interests and respective influences. A much closer assessment of allegations and subsequent actions by statutory bodies is required.

Constitutional alignment

The adoption of the new Constitution has necessitated the alignment of hundreds of laws and the operationalising of new democracy-supporting institutions. Progress has been mixed; government claims that this is running smoothly and denies it has engaged selectively,64 but critics argue engagement has been selective⁶⁵ and that the alignment process has been used to claw back executive powers in several areas where the new Constitution had intended them reduced.⁶⁶ Promises that expedited alignment would 'deal with corruption cases' 67 has yet to bear fruit. Elsewhere, government has chosen to avoid engagement - such as the constitutional alignment of electoral laws, and especially those relating to control of voter registration, amendments to the Access to Information and Protection of Privacy Act (AIPPA), or the introduction of new laws on provincial devolution and local government.68

Government appears intent on going through the motions of alignment, but much of the draft legislation it brings out under the guise of alignment, according to some legal experts, is unconstitutional.⁶⁹ Government has also opposed several civil society challenges in

the Constitutional Court, which has responded with a series of progressive judgments. Overall progress in the establishment of new democracy-supporting institutions has been inadequate and major questions about their independence from the executive have been raised but not addressed. Provisions in draft legislation for the Gender and National Peace and Reconciliation Commissions were manifestly unconstitutional.

ZANU-PF – Dominance and division

ZANU-PF faces the paradox of unrivalled power at the same time as struggling to manage unprecedented debilitating factionalism over the last 20 months. The backdrop remains the unanswered question of who will succeed Mugabe. ZANU-PF has endorsed him as their candidate for the 2018 elections, when he will be 94 years old, and have used this to shut down any formal debate on succession within the party. Mugabe himself has repeatedly said there is no vacancy and interested parties should desist. But the issue of succession remains central to the factional dynamics that have threatened to rip the party apart.

Factional battles have simmered and erupted in provincial party structures across the country and remain largely unresolved

A virulent campaign against then vice president Joice Mujuru in the last quarter of 2014, spearheaded by the president's wife and newly appointed head of ZANU-PF's Women's League, Grace Mugabe, resulted in Mujuru's expulsion at the party's December 2014 People's Congress and the removal of a phalanx of national and provincial leaders aligned to her. Accusations of plotting against Mugabe and fanning factionalism belied a longer term breakdown in relations and Mujuru folded without a fight. Grace Mugabe's campaign was publically supported by a coterie of senior ZANU-PF leaders and endorsed by Mnangagwa, Mujuru's primary rival, whose supporters in Military Intelligence helped provide the 'evidence' that brought her down.

The People's Congress adopted a raft of changes to ZANU-PF's constitution, significantly strengthening Mugabe's hand as first secretary, but also generating confusion about how ZANU-PF would appoint his successor in the event he dies or becomes incapacitated in office. Any hopes that Mujuru's removal would contain factional rivalries were misplaced. Mnangagwa's subsequent elevation to vice president (along with the relatively unknown Phelekezela Mphoko) set the scene for further factional struggles predicated on unresolved issues of succession to Mugabe; all sides claimed loyalty to Mugabe, accusing rivals of treachery and seeking to undermine the First Family.

In this process, Grace Mugabe was given an elevated status by those opposed to Mnangagwa's purported presidential ambition, generating speculation regarding her own presidential ambitions. This grouping, collectively referred to

ZANU-PF

HAS ENDORSED MUGABE
AS THEIR CANDIDATE FOR
THE 2018 ELECTIONS WHEN
HE WILL BE

94 years old

as Generation 40 or G40, has worked hard to undermine Mnangagwa's support base within the party.⁷⁶

Factional battles have simmered and erupted in provincial party structures across the country and remain largely unresolved. Key battlefront provinces include Masvingo, Manicaland and Mnangagwa's home province, Midlands. Mnangagwa has kept his counsel while a raft of his key lieutenants has been subject to 'votes of no confidence' and the party's disciplinary processes. The National Disciplinary Committee (NDC), chaired by Mphoko (a close ally of Grace), is dominated by G40 members and has been accused by party elements (especially from within the ranks of the war veterans supporting Mnangagwa) of pursuing a partisan agenda.⁷⁷

A number of key Mnangagwa allies have been sanctioned, accused of factionalism and suspended through votes of no confidence.⁷⁸ The overall trends show the Mnangagwa losing ground in both the part and the state to G40 and Mugabe acolyte interests. G40 elements are agitating for a special national convention, that would expected to use as an opportunity to impeach Mnangagwa.

The NDC submitted a report with findings and recommendations on disciplinary actions to be taken to both the Politburo and Central Committee in April, but no decisions were taken. Instead, in early May, Mugabe established a National Appeals and Review Committee, also chaired by Mphoko⁷⁹ but with Central Committee representation from each province, including several Mnangagwa allies.⁸⁰ For the time being, Mnangagwa appears to have survived the G40's relentless assault; the appeals process will contain finality around an array of factional dynamics, but not provide a resolution.⁸¹

Mugabe has struggled to contain internal divisions and continues to look for a path that can unify the party. Many believe the rifts are unbridgeable, although a formal split within the party appears unlikely at this stage. But a zero sum approach towards control of party structures and its implications for patronage networks mean the ruptures will continue, as will opposition to Mnangagwa's ascendency. But the party structures are structured will continue, as will opposition to Mnangagwa's ascendency.

The security sector remains blatantly loyal to ZANU-PF in spite of constitutional provisions prohibiting such partisanship. They have and will continue to play a major role in influencing ZANU-PF's electoral fortunes, which presents a major challenge to the credibility of the current reform agenda. But they have also been caught up in the factional fracas; military elements loyal to Mnangagwa played a key role in the defenestration of Mujuru. ⁸⁴ Along with war veteran structures (that had replaced those previously aligned with Mujuru), the security sector's alignment with Mnangagwa has generated tensions with the G40, Grace Mugabe and by extension the president.

At ZANU-PF's national conference in December 2015, Mugabe dressed down the security chiefs for engaging in factionalism.85 This emboldened Grace Mugabe and G40 elements, who subsequently went on the offensive against the war veterans' leadership and security chiefs. A violent altercation between war veterans and the police prompted Mugabe to publically castigate the state minister for war veterans and the Zimbabwe National Liberation war Veterans Association (ZNLWVA) national chairperson, Chris Mutsvangwa, (a key Mnangagwa ally) who was subsequently fired from cabinet. But Mugabe as patron of the ZNLWVA agreed to an unprecedented mass meeting with over 10,000 veterans in Harare in April. He was forced to hear the hardline taken by many war veterans at this meeting and coupled with a consolidated push-back from the security chiefs this prompted a more conciliatory approach from Mugabe, who recognises the importance of the security sectors central role in the maintenance of ZANU-PF's hegemony.86

A number of key Mnangagwa allies have been sanctioned, accused of factionalism and suspended through votes of no confidence

But Mugabe's position on an increasingly vocal ZNLWVA leadership soon hardened, and in June Mugabe launched a stinging attack on the ZNLWVA and dissident elements who he claimed had no business interfering in national affairs. Relations crumbled further; opening up a massive faultline in ZANU-PF's power architecture; within a matter of weeks Mutsvangwa has been expelled from ZANU-PF, and the ZNLWVA backed a national stayaway that had been called in early June by opposition elements. In late July the ZNLWVA released a statement effectively

divorcing itself from ZANU-PF and Mugabe who they accused of betraying the country for self interest.⁸⁷

Mugabe's and government officials responsible has been harsh; several ZNLWVA leaders have been arrested and an attempt to reconstitute the ZNLWVA's national leadership that could help ensure a loyal cadreship has become another battlefield for the beleaguered government. At the same time government has responded harshly to protests, accusing foreign embassies and their governments of resuscitating their regime agenda.

As opposition to Mugabe grows and his capacities visibly weaken, his grip on power and ability to manage ZANU-PF's manifold interests and divisions diminishes

As opposition to Mugabe grows and his capacities visibly weaken, his grip on power and ability to manage ZANU-PF's manifold interests and divisions diminishes. Prospects for renewal and change remain uncertain as the end of an era looms. Once the glue that held the party together, both his incumbency and his imminent departure have become major threats to its unity, possibly its survival. His options have narrowed and he has shown little interest in putting in place a constructive exit strategy. Whether or not he remains master of his destiny in this regard is moot; the survival of many in the current leadership is contingent on him remaining at the helm. Whilst Mnangagwa supporters argue behind closed doors that deteriorating conditions necessitate an urgent handover, ⁸⁸ it appears increasingly likely that Mugabe will die in office, in the absence of what he and those around him believe will be a viable alternative. ⁸⁹ In addition, many senior party and government officials are aware their tenure becomes less certain with Mugabe no longer in office.

The opposition: reconfiguration and fragmentation

The opposition political terrain has shifted significantly since the 2013 elections. Eschewing advice to boycott the polls in the face of unfulfilled reform promises and a deeply compromised voters' roll, and unable to forge a coalition with other groupings, the main opposition MDC-T was rocked by the scale of its defeat. Ill-prepared to expose ZANU-PF's electoral mischief and unable to concede that its own support had waned, the party faced an uncertain future. Abandoned and pilloried by a number of its domestic and international supporters, senior leaders split acrimoniously as Tsvangirai refused to step aside. ⁹⁰ As in 2005, when former secretary general, Welshman Ncube left to form the Movement for Democratic Change (MDC), the MDC-T has been diminished, but nevertheless retains significant support. ⁹¹

The entry of Joice Mujuru's Zimbabwe People's First (ZPF) into the political arena impacts both ZANU-PF and opposition terrain. A number of senior ZANU-PF cadres, including several associated with the security sector, have thrown their weight behind Mujuru, but how many and what implication



CALLS FOR THE FORMATION
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TACKLE ZANU-PF IN 2018
HAVE GROWN

this has for ZANU-PF is unclear, as both sides mount propaganda and counter-propaganda campaigns. The party's prospects in the elections are contingent on its ability to organise and mobilise at a community level, especially in the rural areas. Despite already being at the sharp end of ZANU-PF dirty tricks, the party remains publically confident, claiming it knows best how to manoeuvre around ZANU-PF rigging.⁹²

Calls for the formation of a grand coalition to tackle ZANU-PF in 2018 have grown and there has been frenzied speculation about behind-the-scenes talks, but scant detail has been made public. Despite the importance of not splitting the vote, prospects for developing a strategic alliance amongst the major opposition formations remains limited at this time.93 Five fringe parties announced the formation of the Coalition of Democrats (CODE) in early June,94 and the People's Democratic Party of former MDC-T secretary general, Tendai Biti, has recently appeared on the platform at a ZPF inauguration star rally.95 Prospects of further convergence remain, helped by new momentum including joint actions between the MDC-T, ZPF and other parties, but some doubt the MDC-T can overcome internal divisions on the need to work more closely with other parties.96

Although it has not ruled out participation in the 2018 polls, the MDC-T has boycotted all by-elections since the 2013 general elections, arguing it will not participate in electoral processes until electoral reforms are in place. The party has recently taken to the streets to capitalise on growing anger about deteriorating economic conditions. Thousands of MDC-T supporters demonstrated in mid-April in the biggest protest seen in Harare for over a decade. Cooperation around support for an unfolding campaign of mass action promoting electoral reform and strategic election campaigning remain central challenges ahead of the 2018 polls.

Constructive engagement: enticing the unrepentant

In spite of unresolved concerns about the validity of the 2013 elections, key Western partners from the international community have continued efforts to reengage Zimbabwe, building on headway made during the Inclusive Government. For the EU and members such as the United Kingdom, this reflects an ongoing shift from the politics of reprimand to the politics of encouragement,

an implicit acknowledgment of past policy failure and the need to explore a constructive engagement approach. The EU suspension of development aid was subsequently lifted and most of the ZANU-PF leaders targeted by restrictive measures, with the exception of Mugabe and his wife, were removed from the sanctions list.⁹⁹

The resumption of EU development assistance necessitates an accompanying political dialogue, but progress on this front has been minimal as the Zimbabwean government resists a high level engagement unless Mugabe is removed from the sanctions list. This impasse is likely to continue until Mugabe is no longer in office and frustrates the development of an agreed framework to assess and assist progress.

Key Western partners from the international community have continued efforts to re-engage Zimbabwe

The US has retained a harder line with Harare but continues to trade with Zimbabwe and is a major source of humanitarian aid. However, it maintains there must be more tangible progress in terms of reforms before the repeal of the Zimbabwe Democracy and Economic Recovery Act or an interim executive override can be justified. Such considerations will be under intense scrutiny, especially in a US election year, and it is unlikely these measures will be lifted unless major progress is evident.

Multilateral and bilateral engagements by the EU and member states are an essential lifeline of donor support for the cash-strapped government. This support subsidises key areas of social service delivery (i.e. health, education, water and sanitation), technical support and humanitarian assistance. Drought has exacerbated food insecurity, aggravating dependency; in February 2016 government issued a plea for \$360 million to cover costs for the import and distribution of food aid. 100

Donor support for civil society continues, but at reduced rates and with a less combative emphasis, especially around issues relating to human rights, governance, accountability and related research. Non-governmental organisations seek to accommodate the new constructive engagement approach and have tailored their projects

accordingly. Whilst a number of important initiatives and collaborations have been forthcoming, this approach has also contributed to a marked decline in robust monitoring, assessments and analysis of key areas of reform.¹⁰¹

The purveyors of constructive engagement claim that there have been significant improvements in the operating environment in Zimbabwe and that the government is committed to reform. They are also aware of the array of drawbacks and obstacles, but argue there is no alternative for ZANU-PF and, however reluctantly, they will embrace and/or submit to the reform agenda. But a widespread cynicism of ZANU-PF's commitments remains, grounded in years of false promises and duplicity, highlighting the profound trust deficit that ZANU-PF refuses to even acknowledge. Is an authentic engagement possible if ZANU-PF is unwilling to invest in generating confidence, and those supporting an ostensible reform agenda reflect on shortcomings only in hushed tones?

The purveyors of constructive engagement claim that there have been significant improvements in the operating environment in Zimbabwe

How does one then prove or disprove that advances have moved significantly beyond the rhetoric of reform?

Certainly constructive engagement in this context is a gamble, and there are dangers this may segue into unnecessary concessions in some instances. Will support intended to promote change in fact prolong the structural underpinnings of the problem one seeks to address? How does one determine what bang one gets for one's buck? Is there a realistic alternative approach?

The current approach is considerably weakened without an accompanying monitoring and assessment frame in place. A more robust evaluation methodology would enable a more focused critique to properly gauge substantive progress that in turn would help ensure improvements are recognised and shortfalls are highlighted. Such assessments should be as transparent and inclusive as possible in order to engender greater understanding of what has been achieved, as well as the limitations of what may be possible. This would enable not only a more nuanced judgement, but also a calibrated response.

Such an approach should be tied to the reforms government has committed itself to in The Lima Strategy. The IMF outwardly retains a confident face, praising the government for meeting targets in the extended SMP which it argues lay the foundations for re-engagement with the international community. But they are undoubtedly worried as progress has faltered; they have diplomatically turned up the volume, imploring the government to undertake 'bold reforms' acknowledging that 'a step-up to a comprehensive and deep economic policy adjustment agenda will be critical to addressing Zimbabwe's daunting economic challenges'. ¹⁰³ But policy recommendations



ZIMBABWE IS HEADING TOWARDS ANOTHER DISPUTED ELECTION IN 2018

and the trajectory of progress are predicated largely on hope that government will do what it says it will; public confidence in the government's potential is upbeat, but belief it will actually deliver remains superficial and is slipping.¹⁰⁴

Only two days after the IMF's May assessment, the bond note bombshell was dropped. It was soon evident that no one, including the IMF, had been consulted on this questionable policy development. 105 This development does little to build confidence in government policy or the banking system, 106 and there is a growing belief in some quarters that recovery is simply not possible under ZANU-PF's political tutelage. 107 In late June, early July, Chinamasa and Mangudya were lobbying for support, arguing that reforms were on track, and that a parallel negotiation process was ongoing for new financing. 108 The IMF denied a financing program was under discussion.¹⁰⁹ To move forward, government will have to implement an array of unpopular measures, such as cuts in the public payroll and the privatisation of stateowned enterprises. It is in this context that the roadmap for Zimbabwe's return to the international fold remains fraught with improbability.

Elections 2018 – and a problematical voters' roll

Zimbabwe is heading towards another disputed election in 2018. At the heart of the challenge is a fundamental lack of trust in the ZEC and its voter registration processes, whose credibility is undermined by the lack of a clear legal framework. A credible and independent voter registration process under the control of the ZEC is still not in place and the partisan hand of Registrar-General Tobias Mudede remains in play. The current roll should be fully under the control of the ZEC by now, but it is not. To prevent any meaningful analysis of the controversial 2013 election results, Mudede (well past retirement age) has systematically blocked access to an electronic version of the 2013 voters' roll, claiming an unspecified technical fault. This excuse has been supported by the High Court which has inexplicably avoided efforts to determine the nature of the fault and how it might be fixed. 110

Prevented from accessing the roll, which should then be followed by a systematic audit, the ZEC did not challenge this, but has instead relied on updating the roll in a piecemeal fashion and initiated its own pilot registration process tied to a series of by-elections over the last 30 months. This process was riddled with shortcomings, underscored continued dependence on the registrar-general's office for technical support, and did little to engender confidence that the ZEC will be able to deliver a competent voter registration process.

Government will have to implement an array of unpopular measures, such as cuts in the public payroll and the privatisation of state-owned enterprises

The ZEC has now decided it will put in place a new biometric voter registration (BVR) system and is looking for significant donor support to underwrite it.¹¹¹ The BVR will not necessarily enhance the integrity of elections, especially if confidence in the ZEC is wanting, and the registrar-general continues to retain a platform of influence over access to the documentation required. It will also conveniently ensure the avoidance of a retrospective analysis of the 2013 roll. In addition, no effort has been made by Parliament to interrogate the ZEC's 2013 election report.

In this context, it is highly unlikely the ZEC will put in place processes that will address the fundamental trust deficit it faces which is rooted in widespread concerns about its previous facilitation of ZANU-PF election victories. 112 With donors likely to continue supporting preparations for elections, clarification should be sought by the EU as to whether its observers will now be welcome at the 2018 polls. Donors should also offer to underwrite the cost of enabling the diaspora vote which is now provided for in the Constitution, but which government claims is not affordable in the current economic climate.

Conclusion - no solution in sight

Zimbabwe is in dire straits; for some, neither ZANU-PF nor the opposition can provide a way out of this inexorable decline, and argue a 'third way' must be found. In the meantime, ZANU-PF's reform programme is being treated as if it's the only game in town; in the absence of alternatives, strengthening the credibility of this process is essential. The absence of

a clear framework to evaluate progress on reform frustrates prospects for developing a common, empirically grounded appreciation of government's commitment (or lack thereof) to transformation, and where and how this can be strengthened.

ZANU-PF has not invested adequately in generating confidence in its reform agenda; understandably, it remains in question for many. Half-hearted commitments leave many believing the reform agenda is in many respects a charade and that limited progress to date reflects a lack of genuine commitment from the government. The exclusive nature of interactions and negotiations around the reform process and its content does not lend itself to broad-based support or the legitimacy required to help build the necessary reform momentum. This deficit needs to be rectified by both government and the international community who seek to support the reforms.

But this should not cast doubt on the importance and potential of constructive engagement, but rather the nature of this engagement, how it is assessed and enhanced. The Lima Strategy provides a minimal outline for assessment, but is sparse on key details around issues such as the rule of law, institutional capacity building and dealing with corruption. It also fails to recognise fundamental challenges such as political partisanship in state structures.

The reform ball is firmly in ZANU-PF's court and has been for some time. As this paper demonstrates, an array of issues requiring attention have been identified and in many areas government acknowledges action is required. Yet government is still to move from the realms of rhetoric to tangible action; there are also a number of important exclusions that need attention. Options for reinforcing engagement and promoting inclusivity must promote a space for Zimbabwean civil society, who in turn must find their voice as a primary role player on the road to recovery.

Notes

- 1 In July, the International Monetary Fund countered what it described as 'misreporting on Zimbabwe' to point out that 'there's no financing programme under discussion with Zimbabwe at this point'. Neither was the payment of outstanding debt arrears an automatic gateway to new credit lines, affirming that 'the economy needs immediate reforms to address the vulnerabilities that have come to the fore'.
- In an unprecedented reflection on his own mortality, Mugabe chose a recent gathering of thousands of children marking the Day of the African Child to reflect that he was 'on his way out and wants his successor to do a better job'. I'm on my way out: Mugabe, *The Standard*, 19 June 2016.
- 3 Vice President Mnangagwa told Parliament that resource constraints prevent the government from putting in place the machinery to enable a diaspora vote before the 2018 elections and that the current provisions of the Electoral Act remain in place. Private correspondence, opposition parliamentarian, 21 April 2014.
- 4 The Zimbabwe Human Rights and Anti Corruption Commissions were provided for in the previous Constitution; the Zimbabwe Gender Commission and National Peace and Reconciliation Commission are new. Government has been reluctant to introduce the necessary enabling legislation to allow them to operate, and where it has done so, the legislation has been designed to ensure that the commissions are not independent but function more as government departments. Correspondence, constitutional expert, 3 July 2016.
- 5 The Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZIM-ASSET) – a five-year plan (2013-2018) touted as an economic blueprint for economic recovery – has failed to deliver. It remains a framework for broad developmental priorities, but its needs, including targets of \$27 billion of investment and promised deliverables, such as the creation of over two million jobs, are widely regarded as unrealistic.
- 6 International Monetary Fund, IMF Executive Board concludes 2016 Article IV Consultation with Zimbabwe and Third Review under the Staff Monitored Programme, IMF press release, No 16/194, 4 May 2016.
- 7 Mugabe proposes Ten Point Plan for sustained economic growth, Financial Gazette, 26 August 2015.
- 8 Although he has visibly toned down allegations in this regard, Mugabe has used both international and domestic platforms since then to attack the West and to blame their sanctions for Zimbabwe's economic woes.
- 9 Government of Zimbabwe, Zimbabwe: Strategies for clearing external debt arrears and the supportive economic reform agenda, September 2015. This document is referred to as The Lima Strategy.
- Some civil society groups have begun to question the merits of a new bailout package, pointing out that there has yet to be an accounting of how previous loans were disbursed. They question how government will service, let alone repay, new credits on top of the existing debt burden and argue the current process underway does not enhance internal accountability (certainly not retrospectively), with Zimbabwe's taxpayers now paying for the egregious behaviour of the politically connected elite. Govt should account for IMF Funds: Maguwu, NewsDay, 3 May 2016.
- 11 The Lima Strategy projected debt arrears World Bank (\$1,1bn), African Development Bank (\$601m) and the IMF (\$111m) would be repaid by the end of March 2016. The deadline moved to the end of June, Zimbabwe: Zim's Liquidity Situation the Impact of Debt, The Herald, 12 April 2016 and now the end of 2016; Zim holds meetings at IMF, World Bank spring forum, NewsDay, 25 April 2016.
- 12 A framework of reform priorities is set out in The Lima Strategy; op cit, pp.8 – 19.
- 13 International Monetary Fund, IMF Executive Board Concludes 2016 Article IV Consultation with Zimbabwe and Third review Under the Staff Monitored Programme, IMF press release, No16/194, 4 May 2016.
- 14 Some estimate this to be much higher; Eddie Cross, Money from Nowhere, Eddie Cross online newsletter, 9 May 2016. This illustrates the

- broader ongoing challenge of limited transparency around government finances.
- 15 Interview, Zimbabwean economist, Harare, 23 January 2016.
- 16 Repayment will be based on a combination of measures: utilising special drawing rights to repay the IMF, a bridging loan from the Africa Export-Import Bank to repay the Africa Development Bank and a portion of World Bank debt, and a huge concessional loan 'from a friendly country', reportedly, Algeria. "Zimbabwe: Clearing Decks and Debts", Africa Confidential, Vo.57, No.7, 18 March 2016. The Algerian loan, which some believe was never a serious option, has apparently fallen away.
- 17 "Political questions loom as debt deal is set for September", Africa Confidential, 20 June 2016.
- 18 Voice of America, US Ambassador says Zimbabwe's Failure to Access Loans Result of Arrears not US Sanctions, 27 April 2016. Provisions for opposing debt relief or new loans to Zimbabwe from international financial institutions are contained in the Zimbabwe Democracy and Economic Recovery Act, and will not be overridden unless there is significant progress in these areas.
- 19 Ibid.
- 20 Correspondence, Zimbabwean civil society and business.
- 21 Zimbabwean reform a smokescreen to save the ruling party, Business Day, 14 March 2016.
- 22 Wage bill threatens fiscal stability, Zimbabwe Independent, 15 April 2016.
- 23 The public sector wage bill includes the uniformed forces.
- 24 The government admitted in late 2014 that the civil service had ballooned to 554 000 (from 315 000 in 2009) and it was committed to major cutbacks Government to retrench thousands of civil servants: Finance Minister Chinamasa confirms, *The Herald*, 17 December 2014. The bulk of these increases occurred after ZANU-PF's 2013 election, and the excessive increases reflected a massive injection of state resources into its patronage networks, with the bulk of the 'new employees' believed to be ghost workers and linked to the security sector, including members of the national youth training scheme. The wage bill has still not been significantly reduced and remains an albatross around government's neck.
- 25 Government to retrench workers: Chinamasa, NewsdzeZimbabwe, 7 May 2016
- 26 Mugabe promises govt pay increase, *Daily News*, 19 April 2016. There is general agreement that the government simply cannot afford this; Mugabe piles pressure on fiscus, *Zimbabwe Independent*, 24 April 2016. His penchant for populist posturing on this issue is not new; in 2015, following a cabinet meeting and flanked by senior officials, Chinamasa announced civil service bonuses would be frozen to help tackle the \$260 million monthly salary bill. The following week, Mugabe publically admonished Chinamasa, forcing an embarrassing policy reversal. But a year on, the pressure to comply has increased markedly, highlighting the importance of closely assessing what actions are now taken.
- 27 Zimbabwe says won't retrench civil servants, The Africa Report, 3 May 2016.
- 28 Email correspondence, Zimbabwean economist, 26 April 2016. There are an estimated 580 000 still employed in the formal sector. This was the same number as in 1968 when the population was three times smaller. Over 80% of these jobs are in the public sector, which renders promises to reduce the workforce highly political.
- 29 Government has been forced to delay payments to the security forces by up to two weeks; other categories of civil servants will only get their salaries later in July. Cash strapped Zimbabwe government delays military salaries, Associated Press, 19 June 2016,
- 30 Zimbabwe: Govt, Civil Servants Deadlocked, *The Herald*, 23 June 2016.
- 31 Matyszak D, Madness and Indigenisation: A history of insanity in the age of lawlessness, Research and Advocacy Unit, June 2014.

- 32 Zimbabwean Government, Strategies for clearing external debt arrears and the supportive economic reform agenda, September 2015, launched at the IMF and World Bank's annual meeting in Lima Peru.
- **33** Mugabe intervention fuels indigenisation confusion, *Zimbabwe Independent*, 15 April 2016.
- 34 Mugabe sparks fresh policy confusion, Daily News, 19 April 2016
- 35 Interviews with Zimbabwean economists, Harare, June 2016.
- 36 Email correspondence, political analyst, 3 May 2016.
- 37 Whilst the state media reports improved prospects that its proposed lease agreements would be both bankable and transferable, Zimbabwe: Govt closer to making 99-year leases bankable, The Herald, 6 May 2016, government's proposed lease structure has a weak legal foundation; the more difficult resolution and transfer of existing title deeds must be addressed before the state can issue new leases.
- 38 Fewer than 200 of the 4 800 evicted farmers settled with government for a fraction of the value of their property. Compensation at market value is estimated at billions of US dollars. Settlements and judgments made in international tribunals peg compensation rates at market value.
- 39 Previously, compensation has focused on the cost of investments/ improvements.
- 40 This remains little more than a wish list; the international community, and in particular the UK, are unlikely to contribute to a compensation plan that does not address tenure concerns and provide greater equity and transparency around land reform beneficiation. Few beneficiaries are making substantial profits and black farmers have rejected a taxation option as unfeasible. We can't pay: Zimbabwe farmers resist compensating evicted white landowners, Reuters, 22 March 2026.
- 41 Pilot land audit confirms farm seizure corruption, Zimbabwe Independent, 19 June 2015.
- 42 Zimbabwe: 18 000 farmers face eviction, *The Herald*, 2 May 2016. According to the 2012 national census, almost 700 000 people live on resettled land without the appropriate permission. Regularising their situation presents a major challenge that is open to political manipulation. Interview, land expert, Harare, 26 January 2016.
- 43 Bob: Chuck out whites, give farms to war vets, *The Zimbabwean*, 8 April 2016. Inconsistencies in the application of the acquisition law have in many areas been contingent on the level of political protection secured by the farmers. This has become more complex in the context of factional ZANU-PF dynamics, but continues with the handful of remaining white farmers. Masvingo spares 10 white farmers, *Chronicle*, 26 April 2016. Zimbabwe's white farmers face threats of new evictions, *Moneyweb Today*, 11 May 2016.
- 44 Zanu PF's Kasukuwere: Temba Mliswa must shut up, risk losing farm, Voice of America (http://www.voazimbabwe.com/), 6 May 2016.
- 45 Monthly reports on farm disruptions compiled by the Commercial Farmers Union provide some insight into the array of live cases.
- 46 One joint venture, Anjin investments, is currently challenging its eviction, arguing that its eviction violates Zimbabwe's bilateral investment agreement with China. Anjin eviction challenge: court reserves ruling, *The Herald*, 8 March 2016.
- 47 Army kicked out of Chiadzwa, NewsDay, 26 February 2016.
- 48 Mugabe interview confirms Chiadzwa diamond looting, Zimbabwe Independent, 11 March 2016. According to Chidakwa, the government has received \$637,3 million in revenue since 2010. RBZ governor says government was right to shut down Marange, blames diamond firms, Financial Gazette, 24 April 2016.
- 49 Why Zim needs transparency in mining, *The Standard*, 27 March 2016.
- 50 Interview, analysts, Harare, 10, 12 June.
- 51 Chidakwa announced government would implement a forensic audit and present its findings to Parliament. Opposition and civil society groups have

- called for a commission of inquiry and criminal investigations. Mugabe benefitted from \$15b theft, PDP, *The Zimbabwean*, 18 March 2016.
- 52 Don't be hoodwinked, Financial Gazette, 5 May 2016.
- 53 Interview, ZANU-PF politburo member, September 2015.
- Serious allegations about conflicts of interest have arisen, involving the permanent secretary for the Ministry of Mines and Mining Development. Professor Francis Gudyanga, and the chairman of Mbada Diamonds, Robert Mhlanga, who are both directors of the Dubai Diamond Exchange, the premier trading platform for Zimbabwe's rough diamonds. Dubai has been persistently accused of being a primary destination of under-priced African diamonds that it sells on at inflated prices and enormous profit at the expense of the diamond-producing countries. Gudyanga holds a multiplicity of positions in Zimbabwe's diamond industry including acting chair of the Zimbabwe Consolidated Diamond Company (ZCDC), which reports to him as permanent secretary, and acting chairman of the Minerals Marketing Corporation of Zimbabwe (MMCZ). He is also a director of the Mining Affairs Board and Applebridge, a governmentowned mining investment vehicle that reports to the MMCZ. Farai Maguwu, Director of the Centre for Natural Resource Governance, Open letter to President Mugabe, 15 June 2016. Gudyanga was recently unable to provide any meaningful answers to the Mines and Energy Parliamentary Portfolio Committee on current revenue flows from the controversial diamond fields. Diamond Theft: Govt Secretary humiliated in Parliament, www.zimeye.net, 20 June 2016. No mention of concerns regarding revenue theft, an absence of transparency or governance incongruities are included in the reports regarding Zimbabwe's financial governance by the IMF or World Bank.
- 55 R Saunders and T Nyamunda, eds, Facets of Power: Politics, Profits and People in the Making of Zimbabwe's Blood Diamonds, Johannesburg: Wits University Press, May 2016.
- 56 Alex Magaisa, "The Big Saturday Read: The last dance before sunset how Zimbabwe's political elites are looting the state", (http://alexmagaisa. com), 24 June 2016.
- 57 Corruption worse than sanctions: Minister, NewsDay, 29 April 2016; Zimbabwe: Let's fight Corruption – VP Mnangagwa, The Herald, 29 April 2016.
- Mnangagwa: \$5,5 million squandered by Anti-Corruption Commission Bosses, ZimEye.net, 30 April 2016. This follows on from the arrest and imprisonment – a rare incarceration – of the former ZACC CEO Ngonidzashe Gumbo, who was found to have defrauded the commission of \$435 000. Strong institutions key in fight against corruption, *The Herald*, 4 May 2016. Newly appointed commissioners to ZACC do not instil confidence, reinforcing concerns that anti-corruption initiatives will be selective. Email correspondence, anti-corruption expert, 30 March 2016.
- 59 Delays in appointing new commissioners, limited resource allocation and no enabling legislation raise questions about government's commitment to putting in place an effective independent remedial mechanism.
- 60 Zimbabwe: Time to Walk the Talk on Corruption, The Herald, 10 May 2016.
- 61 Impediments in fighting corruption revealed, Newsday, 16 April 2016.
- 62 Zimbabwe: Time to Walk the Talk on Corruption, The Herald, 10 May 2016. The suspension of Zimbabwe Revenue Authority (ZIMRA) commissioner general, Gershem Pasi, and five senior officials for corruption in early May is important, but reinforces concerns about the scope of the problem and the selective manner in which cases are pursued, and how they relate to mutating political interests and factional alliances.
- 63 New weapon to fight corruption, The Herald, 9 May 2016.
- Radio Voice of the People, Govt not cherry-picking laws for re-alignment: AG, 27 April 2016. Attorney-General Prince Machaya confirmed 154 laws of the identified 206 had been amended through the General Laws Amendment Bill, Public Debt Management Act and the National Prosecution Authority Act.

- A thorough review of progress made is required, and attention given to key areas, such as security sector oversight, local government and media laws which remain outstanding. CSOs demand alignment of laws with Constitution, 29 March 2016; Align media laws with Constitution, *Daily News*, 3 May 2016.
- 66 Matyszak D, Reluctant Reformers: Legislative Misalignment and the new Constitution, Research and Advocacy Unit, March 2016. Local government minister and ZANU-PF political commissar Saviour Kasukuwere has mounted a campaign against mayors and councils controlled by the opposition, employing provisions of the Urban Councils Act, in direct violation of Section 278 of the Constitution which stipulates mayors, chairpersons and councillors can only be removed from office by an independent tribunal. Email correspondence, local government expert, 29 April 2016. Saviour Kasukuwere guns for Bulawayo Mayor, Financial Gazette, 5 May 2016.
- 67 Constitution alignment to deal with corruption, *The Herald*, 17 February 2016.
- 68 For example, the new Local Government Laws Amendment Bill.
- 69 Some see this as a part of a deliberate strategy designed to provide a veneer of adherence to a new constitutional dispensation, rather than building real commitment to constitutionalism. It also reflects a continuation in the well-honed practice of selective application of the law, as evidenced by government's conduct in office.
- 70 The court has made progressive rulings on several important issues, including the provisions for pre-trial detention, the death penalty, child marriage, and criminal defamation.
- 71 Reluctant Reformer ... op cit, pp41-42. New Constitution: Govt seeks to rescue executive power, Zimbabwe Independent, 24 March 2016. The Gender Commission Act came into force in February 2016, and the NPRC legislation was withdrawn in May following widespread criticism. The temporal mandate for this commission is now further compromised as the Constitution provides for the commission's work to be done within a 10-year time frame from the adoption of the Constitution and over a third of this has already passed by.
- 72 This included nine of the 10 provincial chairpersons, and many provincial executive members
- 73 Mugabe believed Mujuru's husband, former army General Solomon Mujuru, was behind Simba Makoni's challenge for the presidency at the 2008 elections and the campaign with ZANU-PF parliamentarians that resulted in his losing the first round of presidential elections. How Mujuru fell out with Cde Mugabe, Sunday Mail, 23 November 2016. Nehanda Radio, Mugabe reveals his grudge with Mujuru, 20 March 2016. The general subsequently died in an unexplained fire on his farm in August 2011, in what many believe was an assassination. Blessing Miles-Tendi, State intelligence and the politics of Zimbabwe's presidential succession, African Affairs, Vol 1 No 22, February 2016. The indeterminate shadow of assassination and dirty tricks remains a constant backdrop in Zimbabwean politics. Interview, security sector experts, 22 January 2016.
- 74 State intelligence and the politics of Zimbabwe's presidential succession, op.cit.
- 75 ZANU-PF's amended constitution is not a public document and many within the party do not have access to it. Many questions remain about the content and process of these amendments and their import for internal party decision making: Matyszak D, Robert Mugabe Way: Constitutional Amendments and ZANU PF's 6th National People's Congress, Research and Advocacy Unit, 25 February 2016. This is uncharted terrain; an open election within the party seems unlikely despite this being included in the new amendments; but there is also provision for a special congress to determine Mugabe's replacement as state president. Whoever retains controlling influence in the Politburo and the Joint Operations Command (the JOC) is most likely to assume command. Email correspondence, legal / political analyst, 10 October 2015.
- 76 Mnangagwa has strengthened his position in charge of government business, but many of his loyalists have struggled to retain their positions

- in the party structures. He is not a popular politician, either within the party or more generally, which is likely to present ZANU-PF with a significant challenge for national elections should he be their candidate.
- 77 Grace Mugabe is also a member of the NDC.
- 78 Mugabe has tried to put a stop to the proliferation of votes of no confidence; No confidence votes: President spot on, *The Herald*, 14 June 2016.
- 79 Patrick Chinamasa, ZANU-PF's legal secretary, finance minister and Mnangagwa supporter, has taken over as NDC chair.
- Zanu-PF appoints National Appeals, Review Committee, The Herald, 6 May 2016. This provides space for managing internal conflicts, but also to attract back elements alienated during the Mujuru-linked purges.
- 81 As expected, the appeals committee has provided a lifeline to some, while upholding the disciplinary committees findings and recommendations in other matter. Although several of Mnangagwa's allies have been removed, some of his as well as those removed because of their association with Mujuru's removal have received a reprieve. "Goche, Mutsvangwa thrown a lifeline", Sunday Mail, 7 August 2016.
- 82 Analysts are divided over the prospects of ZANU-PF pulling together ahead of the elections. Although the fault lines are profound, the imperative of retaining power will generate greater cohesion. The adage that 'life is cold outside of ZANU-PF' resonates; a number of those pushed out in the factional fights are now appealing disciplinary findings against them. Zanu-PF rejects scramble to return, committee formed to handle appeals, NewZimbabwe.com, 25 April 2016.
- 83 Party structures ordinarily mobilised to ensure a respectable turnout at rallies and functions were not activated ahead of Mnangagwa's May Day rally at the national stadium. Loyalists accused the G40 of sabotage when fewer than one thousand attended the rally. May Day: Mnangagwa gets a rude awakening, Zimbabwe Independent, 6 May 2016.
- 84 State intelligence and the politics of Zimbabwe's presidential succession, on cit
- 85 Mugabe tells off security chiefs, NewsDay, 12 December 2015.
- "Army resistance shocks Mugabe, Zimbabwe Independent, 29 April 2016. Mugabe has the power to remove the security chiefs and there is some uncertainty around the renewal of their annual service contracts. It is alleged he has deliberately allowed his wife and G40 elements to take on the security sector and war veterans as part of broader efforts to contain Mnangagwa. But their efforts to promote an alternative leadership has backfired, galvanising a push-back that has generated furious debate around the direction the party is taking, which goes beyond crude factional interests and demands for representation. Telephone interviews, war veterans and security sector experts, 1 April 2016.
- 87 "Full statement: War vets savage Mugabe, withdraw support", New Zimbabwe (www.newzimbabwe.com), 21 July 2016.
- 88 Lacoste in secret pro-Mnangagwa campaign, Daily News, 11 May 2016.
- 89 Mugabe clings to power as he turns 92, Independent Online, 18 February 2016, Mugabe must die in office: ZANU PF Youths, NewsdzeZimbabwe, 29 March 2016. Interviews, political analysts, January 2016.
- 90 This led to the formation of two new smaller parties, the Peoples Democratic Party (PDP) under the leadership of former MDC-T secretary general, Tendai Biti, and the Renewal Democrats of Zimbabwe (RDZ) under former MDC-T treasurer general, Elton Mangoma.
- 91 MDC-T remains the official opposition in Parliament. Although its share of the vote declined significantly in the 2013 elections, hundreds of thousands were disenfranchised; the MDC-T also retains significant support in the diaspora.
- 92 Mugabe's Zanu PF doomed, says ex-Zanla commander, Daily News, 6 May 2016.
- The majority of MDC-T's national executive committee is not in favour of a coalition. Coalition talks divide the MDC-T, Newsday, 3 May 2016.

Zimbabwe opposition grand coalition a pie in the sky, *The Zimbabwe Mail*, 6 May 2016.

- 94 Are these child steps to a coalition, Financial Gazette, 9 June 2016.
- 95 PDP says shares a lot with Mujuru's ZimPF, The Zimbabwean, 20 June 2016
- 96 Coalition talks divide MDC-T, NewsDay, 3 May 2016.
- 97 MDC upholds boycott stance, 4 May 2016. The MDC-T and 10 smaller parties have called for a series of reforms outlined in the National Election Reform Agenda, including the introduction of a credible biometric voter register, the removal of provisions for voter registration slips, and other alignments with the revised SADC Principles and Guidelines governing Democratic Elections. But there has not been a sustained or broadbased campaign to promote this agenda. Email correspondence, election experts, 20 April, 11 May 2016.
- 98 MDC-T demo: A reflection of people's growing anger, Zimbabwe Independent, 22 April 2016.
- 99 This shift has occurred despite the limited progress made around the issues that triggered the introduction of these measures. Human rights, law and order and governance violations have for the most part not been remedied. Development assistance is not given directly to government at this stage, but rather channeled through the UNDP's multi-donor fund or NGOs.
- 100 The UNDP has only managed to secure \$70 million. The situation is expected to worsen, with almost half the country's rural population (4,5 million) requiring support between January and March 2017. UN agency says half of rural Zimbabwe will need food aid by next March, Business Day, 9 May 2016. Despite providing the bulk of assistance, Western donors have not put in place a robust monitoring and assessment capacity to guard against the political manipulation of food aid distribution, and are unlikely to push for this.
- 101 This is a repeated refrain in interviews and correspondence conducted between January and May2016.
- 102 Interview, Western diplomatic representatives, September 2015, January 2016. This is rejected as 'wishful thinking' by many analysts and observers; claims that the human rights situation has improved relying on a basic quantitative analysis, for example, belie the array of continuing abuses and unresolved legacy of manifold others. Violations invariably peak in relation to election cycles and it is likely levels will increase as preparations for elections kick in.
- 103 International Monetary Fund, IMF Executive Board Concludes 2016 Article IV Consultation with Zimbabwe and Third review Under the Staff Monitored Programme, IMF press release, No16/194, 4 May 2016.
- 104 This is a repeated refrain in interviews and correspondence conducted between January and May2016.
- 105 The introduction of a bond note is not in of itself the issue, but rather what this means in the unique circumstances in which Zimbabwe finds itself. With a massive confidence deficit, this announcement and the lack of consultation was profoundly counterproductive. Notwithstanding statements from supporters, such as the African Development Bank. which gave public support to the Zimbabwean government's efforts to curb capital flight, the introduction of the notes is unlikely to address the underlying problems that have culminated in this roll of the monetary dice. Unsurprisingly, the issue and its implications are replete with misinformation. This has fuelled the further waning of confidence in the financial sector and there has been a run on deposits in some of the remaining banks, despite efforts to curb withdrawals. Although it is claimed by the Reserve Bank that the bond notes will not be circulated as a cash alternative, but rather as an export incentive pegged against the dollar, it is unlikely this new facility will have any meaningful impact on the underlying challenges facing the economy. Zimbabwe corruption threatens bond notes, Financial Gazette, 16 June 2016.
- 106 Zimbabwe to print 'bond notes' in a bid to tackle cash shortage, Financial Times, 5 May 2016. Yamamoto: Bond notes, coins, Bond John –

- Whatever!, NewZimbabwe.com, 9 May 2016. Bond notes divide Zanu PF, NewsDay, 12 May 2016.
- 107 Pressure mounts on Mugabe, govt, Daily News, 9 May 2016. Brian Raftopolous, "The persistent crisis of the Zimbabwean State", NewsDay, 7 June 2016
- 108 "Zimbabwe 'on course to clear loan arrears'", Business News (www.iol. co.za), 19 July 2016.
- 109 Transcript of the Press Briefing with Gerry Rice, International Monetary Fund, Communications Department, http://www.imf.org/en/News/ Articles/2016/07/15/15/18/TR071516.
- 110 Efforts to secure a legal remedy remain bogged down in the courts. Analysis of the preliminary roll released to opposition parties in May 2013 highlighted massive problems and distortions in the roll; this included a number of constituencies where there were more registered voters than adults identified from the 2012 census; but no audit or quality check was undertaken before the polls by the ZEC. Hundreds of thousands were subsequently disenfranchised. That was part of a fix, facilitating a landslide 'victory' that even took many in ZANU-PF by surprise. In early April, Mugabe admitted the military played a key role in securing the 2013 election victory. Mugabe remarks expose military, Zimbabwe Independent, 15 April 2015. This reinforces assertions about the growing involvement of the military in Zimbabwe's election processes. State intelligence and the politics of Zimbabwe's presidential succession, op.cit.
- 111 The ZEC claims it will need \$55 million to implement. ZEC to adopt biometric voting for 2018, NewsDay, 11 May 2018.
- 112 Remarkably, the ZEC issued a report on the 2008 elections that failed to give a defensible account of the delays in releasing presidential election results, made only a passing mention of electoral conditions that left 300 dead and thousands injured and endorsed the results of the June presidential run-off that were rejected by both SADC and the AU.
- 113 Trevor Ncube, Only a 'Third Way' can fix Zim, Zimbabwe Independent, 14 April 2016.



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