

ZIMBABWE IN CRISIS :
FINDING A WAY FORWARD

13 July 2001



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EXECUTIVE SUMMARY

Zimbabwe is in a state of free fall. It is embroiled in the worst political and economic crisis of its twenty-year history as an independent state. The crisis has negatively affected virtually every aspect of the country and every segment of the population. It has exacerbated racial and ethnic tensions, severely torn the country's social fabric, caused fundamental damage to its once-strong economy, dramatically increased the suffering of Zimbabwe's people, accelerated a damaging brain drain, and increased the use of state-sponsored violence, the perpetrators of which operate with impunity. An HIV/AIDS epidemic only adds to the catastrophe. Significant post-independence achievements in racial reconciliation, economic growth, and development of state institutions have already been severely eroded. Zimbabwe, which after independence was one of Africa's best hopes for establishing a healthy democracy and prosperous economy, is now descending into a cycle of poverty and repression.

The crisis has not only been an unmitigated disaster for Zimbabwe. Erosion in the value of the South African currency and the Johannesburg Stock Exchange is blamed on events in Zimbabwe. Neighbouring Mozambique, Zambia and Malawi have also been hurt economically by the drop in investor interest. Zimbabwe's involvement in the Congo war in August 1998, driven by Mugabe's ambition both to assert his leadership in the region and to gain access to the Congo's resources, has externalised the country's internal problems. As Zimbabwe's troubles intensify, they increasingly will destabilise the entire southern African region. And the high profile nature of the assault on what has been an internationally linked private sector is

having negative repercussions on perceptions of the investment potential for the entire continent.

Responsibility lies with President Robert Mugabe's government, which has mismanaged the economy, institutionalised state violence, and moved further toward autocratic rule. When the people of Zimbabwe began organising to change the government through democratic means, the ruling party, the Zimbabwe African National Union-Patriotic Front (ZANU-PF) responded with widespread and systematic violence and intimidation.

In a remarkable irony, the actions taken by the government are based on the very same laws – still on the books – Ian Smith's white minority regime used to repress opposition in the 1970s. The law now being used to prosecute opposition leader Morgan Tsvangirai is the same law under which Mugabe and his comrades were imprisoned during their liberation struggle.

Confronted with plummeting popularity and a diverse coalition seeking fundamental reforms, the ZANU-PF leadership appears willing to do anything to stay in power. Using war veterans, police, army, and other ZANU-PF supporters to suppress violently all opponents, the party's only objective is to maintain its hold on power. Robert Mugabe has institutionalised an authoritarian system in Zimbabwe that is aimed at ensuring ZANU-PF controls the keys to the doors of power even if it means the entire house may burn to the ground.

Since the end of the 90s, a political opposition, based on the transformation of the trade union

movement, has been growing in response to the mismanagement of the economy and the country. Civil society groups, a new political opposition party, and a well educated, entrepreneurial population have combined to form a significant coalition to challenge the government's authoritarian rule directly. The southern African region and the broader international community must refocus their efforts in support of positive change in Zimbabwe

After analysing the causes of the crisis, this report sketches a strategy for change not unlike that undertaken by the international community in Yugoslavia. Regional states, the Commonwealth, the EU and the U.S. should seek to persuade Mugabe to allow the scheduled presidential election in 2002 to be conducted freely and fairly, set clear conditions as to what a free and fair election means, and offer assistance to civil society and pro-change groups to help level the political playing field. The international community should also work to resolve and help finance the solution for the land issue proposed by the UNDP, to neutralise its potential for misuse as an election issue. If Mugabe will not permit free and fair elections, the international community should apply sanctions that impact on the political leadership – a freeze on personal funds and travel restrictions – but not on the general population, and the Commonwealth should suspend Zimbabwe.

RECOMMENDATIONS

TO THE GOVERNMENT OF ZIMBABWE

1. Permit free and fair elections in 2002 in which the Zimbabwean people will have the opportunity to express their will.
2. As indispensable preconditions for such free and fair elections:
 - a) permit the opposition to have access to such open and transparent assistance as the international community wishes to provide and it wants to accept;
 - b) license private, independent electronic media;
 - c) permit electronic and print media to operate unhindered;

- d) establish an independent electoral commission;
- e) reorganise voter registration rolls; and
- f) accept international monitoring both before and during the elections.

TO THE SECRETARY GENERAL OF THE UNITED NATIONS

3. Appoint a special envoy to assist the Zimbabwean government conduct free and fair elections and to keep the Security Council informed.

TO THE GOVERNMENT OF SOUTH AFRICA AND THE OTHER GOVERNMENTS OF THE REGION

4. Emphasise publicly and privately to President Mugabe that regional stability, as well as the protection of his reputation before history as a great leader of African independence, requires the holding of free and fair elections in Zimbabwe in 2002.

TO INTERNATIONAL FINANCIAL INSTITUTIONS AND DONOR GOVERNMENTS GENERALLY

5. Immediately resume negotiations with the Zimbabwean government on land reform. If agreement is reached on the basis of the consensus at the 1998 donors conference, establish a Trust Fund – as recommended by the United Nations Development Programme (UNDP) in October 2000 – in order to finance fast track land reform before the 2002 elections.
6. Establish a Trust Fund for job creation and reconstruction of the Zimbabwean economy, the proceeds of which will be disbursed only after determination that the elections have been free and fair.
7. Maintain and fully monitor the present moratorium on balance of payments support to Zimbabwe and on any aid not directly related to basic human needs, until free and fair elections have been held.

TO THE COMMONWEALTH AND ITS MEMBER STATES, THE EUROPEAN UNION AND ITS MEMBER STATES, AND THE UNITED STATES

8. Focus on the 2002 elections as the decisive opportunity for Zimbabwe to obtain an accurate reflection of the will of its people and return to the rule of law.
9. Communicate to President Mugabe, in public and private, support for the conditions required for the conduct of free and fair elections (as in recommendation 2 above) and be prepared to bear a share of the costs involved (e.g., by providing technical assistance on the conduct and implementation of elections).
10. Make it known that there will be no international objection if domestic arrangements are reached that include provision for an honourable retirement with immunity from prosecution for President Mugabe.
11. Assist moderate opposition forces so they can compete with ZANU-PF on a level playing field in free and fair elections by providing training and related support for parties, media and civil society.
12. Provide, to the extent desired by recipients, increased development and possibly financial and technical assistance through local civil society organisations in areas where moderate opposition forces have elected MPs or control local government.
13. Provide to moderate opposition parties and civil society organisations, to the extent they desire, limited institutional support such as office and transport and communications equipment.
14. If the conditions for free and fair elections are not met, governments where ZANU-PF officials and their families have important holdings should:
 - (a) freeze those assets;
 - (b) impose travel restrictions on the most senior and responsible Zimbabwean government officials and their families; and
 - (c) request endorsement of these measures by the UN Security Council.
15. If the conditions for free and fair elections are not met, the Commonwealth should move to suspend Zimbabwe's membership

Harare/Brussels, 13 July 2001



ZIMBABWE IN CRISIS: FINDING A WAY FORWARD

I. ECONOMIC COLLAPSE AND THE ASSAULT ON THE RULE OF LAW

A. TWO DECADES OF STATE-SPONSORED VIOLENCE

A powerful group within ZANU-PF led by President Robert Mugabe, now 77, has been in effective control of the state since independence. Many of ZANU-PF's tactics can be understood by looking at how it gained power and consolidated it in the post-independence period.

The party's predecessor, ZANU¹, was born as a nationalist movement in the 1960s, and with other groups successfully waged a protracted, violent guerrilla war against the white minority Rhodesian regime of Ian Smith. It expounded a Marxist ideology and called for expropriation of land from whites. By 1979 more than 40,000 people had died in the war, the vast majority black peasants.

Mugabe won the country's first majority rule elections in early 1980, and international observers judged the results to be generally accurate although his forces were charged with having committed widespread violence and intimidation during the campaign. After his electoral victory, Mugabe won international acclaim by calling for racial reconciliation and forming a government of national unity that included opposition leaders and whites. He started his rule without bitter recriminations or criminal cases against Ian Smith and other members of the Rhodesian government and armed forces.

As early as 1983, however, Mugabe and his political allies showed themselves to be ruthlessly willing to use violence to further their political ends. When opposition leader Joshua Nkomo objected to publicly stated plans to impose a one-party state, Mugabe expelled Nkomo from the government of national unity and arrested several top deputies from his ZAPU party. When the ZAPU rank and file began violent protests, Mugabe sent the army's Fifth Brigade into Matabeleland. The troops, who had been trained by North Korean officers, conducted widespread massacres, beatings and torture across the rural part of Matabeleland where they are estimated to have killed 15-20,000 civilians.² Under international pressure, the government investigated, but its report was never made public. No charges were pressed, and the commander of the Fifth Brigade, Perence Shiri, was promoted to command the Air Force.

ZANU-PF also showed it would use violence to ensure victory at the polls. In the 1985, 1990 and 1995 elections, its supporters beat opposition members and destroyed their property. Many of the tactics that are being used now and are described throughout this report were perfected during these previous electoral campaigns, although they then attracted far less international attention.

¹ In 1976 ZANU formed an alliance with Joshua Nkomo's Zimbabwe African People's Union (ZAPU) Party that was called The Patriotic Front. The two parties formally merged in 1987.

² Amani Trust, a Zimbabwean organisation dedicated to helping the victims of violence, has extensively studied the casualties of the Matabeleland massacres and considers that the 15,000 to 20,000 figure for the civilian death toll is conservative. The figure is in line with the report on the Matabeleland violence, "*Breaking the Silence, Building True Peace – A report on the disturbances in Matabeleland and the Midlands 1980 to 1988*", produced by the Legal Resources Foundation and the Catholic Commission for Justice and Peace in February 1997.

B. GROWING INTERNAL OPPOSITION

Despite these human rights abuses, the government enjoyed widespread support throughout the 1980s. But in the 1990s, the mismanagement of the economy led to economic decline and popular grievances. Although the government agreed in 1991 to follow a structural adjustment plan sponsored by the World Bank and the International Monetary Fund (IMF), it undermined the reforms by seeking to keep state domination of the economy and to secure opportunities for self enrichment and patronage. Rather than reduce spending on the military and patronage, the government cut spending on health and education and blamed this on the international financial institutions. The population began to feel the pain of a long, slow decline in living standards.

Official corruption became blatant, and no corrective measures were taken even when it was exposed.³ The grossly corrupt and inefficient management of Harare by ZANU-PF, headed by Mayor Solomon Tawengwa, provoked growing dissatisfaction.⁴ By the end of the 1990s, economic decline had become alarming. GDP dropped by 2 and 3 per cent in 1998 and 1999 respectively and by 6 per cent in 2000. It is expected to sink another 6 per cent in 2001. Since the government has, nevertheless, maintained spending levels, the 2001 budget deficit is more than 20 per cent of GDP.⁵

Corruption and mismanagement gradually have eaten away at the economy, but it was Mugabe's

decision in August 1998 to send troops to fight in the Congo war that provided the most severe shock.⁶ The Zimbabwean economy is contracting rapidly – forecast at 5.6 per cent for 2001 – and has been described as one of the world's fastest shrinking economies⁷. Standards of living have dropped so much that the average citizen was better off, and the GDP per capita was 20 per cent higher, before independence.⁸

Three serious challenges to the Mugabe government emerged in 1999-2000 in the form of pressure for an improved constitution, a new political party, and parliamentary elections that promised to put the ruling party's grip on power at serious risk for the first time in Zimbabwe's history.⁹

At the beginning of 1998, a coalition of civil society bodies, calling itself the National Constitutional Assembly (NCA) and including church, women's and human rights groups, started pressing for a new constitution that would improve government accountability. After first ignoring the NCA, the government eventually agreed that a new constitution should be drafted. Public hearings organised by both the NCA and the government-appointed Constitutional Commission – led by High Court Judge President Godfrey Chidyausiku – drew large numbers of participants, who overwhelmingly called for a reduction in the powers of the presidency, firm limits to the presidential term and general accountability of government. When it quickly became obvious, however, that ZANU-PF would control the drafting process, the NCA declined to take part. The government's proposed constitution would have given the president sweeping powers, allowed Mugabe to stand for another ten years in office,

³ In fact, Mugabe exercised the presidential prerogative for mercy to pardon a former cabinet minister who had been convicted of corruption in 1989.

⁴ Administration of the city of Harare was placed under a government-appointed commission nearly two years ago. None of Mr Tawengwa's colleagues in the Harare City Council have been charged with corruption to date. Mr Tawengwa is a senior member of the ruling Zanu-PF party.

⁵ The Zimbabwe government's Central Statistical Office has official figures that show the decline of Zimbabwe's GDP over the past three years. The Economist Intelligence Unit in its June 2001 report on Zimbabwe included the estimate that the 2001 budget deficit would be 18 per cent of Zimbabwe's GDP if the government kept to its budget figures. But the Mugabe government regularly makes unbudgeted expenditures, and it is expected that the deficit will go higher than the official estimates. *Daily News*, 7 July 2001.

⁶ For a discussion of the external participants involved in the DRC conflict and their motivations see ICG Africa Reports No. 26, *Scramble for the Congo: Anatomy of an Ugly War*, 20 December 2000, and No. 17, *Africa's Seven Nation War*, 21 May 1999.

⁷ Economist Intelligence Unit, Zimbabwe Country report June 2001.

⁸ According to figures provided by the Central Statistical Office, Zimbabwe's per capita income has declined by 20 per cent since 1980. *Financial Gazette*, 17-23 May 2001; see also *Zimbabwe Independent*, 8 June 2001.

⁹ See ICG Africa Report No. 22, *Zimbabwe: At the Crossroads*, 10 July 2000.

and left the administration of elections in the hands of the government. Mugabe personally wrote a special clause on the land issue stating that if the former colonial power, Britain, did not pay for land that was stolen from Africans, the state would be justified in seizing white-owned property for redistribution to poor black farmers.

The large number of people who had attended the public hearings were outraged that the draft constitution ignored their clear requests. Few people paid much attention to the clause on land, although it was inserted to attract popular support. Despite a lavishly funded advertising and media campaign, the voters rejected the draft constitution in the February 2000 referendum. The “No” vote signalled to Mugabe and his party that the popularity they had enjoyed since independence had declined to unprecedented levels and that the parliamentary elections scheduled for June 2000 might pose the first real threat to them in twenty years.

The “No” vote was more than 100,000 greater than the “Yes” vote in the referendum. The government reacted bitterly and blamed the white minority, particularly white farmers, for the referendum’s defeat. In reality, the draft constitution failed because of the overwhelming opposition of black voters in urban areas, not the rural vote.¹⁰ Whites, who might be considered to have considerable influence on the rural electorate, constitute less than 1 per cent of Zimbabwe’s population of more than twelve million people.

The second challenge to the government arose when the leadership of the Zimbabwe Congress of Trade Unions (ZCTU) spearheaded the formation of a new political party, the Movement for Democratic Change (MDC), in September 1999. It held its first congress in January 2000. In addition

to the trade unions, it drew support from numerous civil society groups and across all Zimbabwe’s major divides – racial, ethnic, and rural/urban – (although its predominant support is in the cities). The party vowed to bring change through legal, democratic and peaceful means.

The third challenge to the government was its narrow escape in the June 2000 parliamentary elections.¹¹ ZANU-PF won 62 seats but the MDC collected 57, thus becoming the first serious opposition in the parliament’s history. While 30 additional seats appointed by Mugabe gave ZANU-PF a safer majority, the MDC has enough votes to block constitutional amendments. Election observers – including the European Union, the Commonwealth of Nations, and the U.S. National Democratic Institute – concluded that the violence and intimidation in the run-up to the election constituted a systematic effort to prevent a free and fair vote.

C. THE FARM INVASIONS

Within a week of the referendum’s defeat, groups of ZANU-PF supporters invaded a number of white-owned farms and claimed the land, which, they charged, white colonialists had stolen from their ancestors. The invasions were led by veterans of the war against white Rhodesian rule and included rural subsistence farmers and unemployed youths. There is substantial evidence that members of the state’s Central Intelligence Organisation (CIO) and the army were involved in planning and carrying out the operations.¹² The occupiers employed violence and intimidation, beating hundreds of farm workers for allegedly working against the referendum and threatening the farm owners. At least 31 people were killed, hundreds had their homes burned down, and many more were beaten or tortured.

¹⁰ Official figures released by the office of the Registrar-General, Tobaiwa Mudede, showed that the referendum was rejected in every black township in the cities of Harare and Bulawayo as well as other urban areas. The black urban constituencies rejected the government’s proposed constitution by margins of more than 70 per cent, sometimes more than 80 per cent. In comparison, the contest was much closer in the rural areas. Many rural areas voted in favour of the referendum, particularly in the Mashonaland provinces. Those rural areas that rejected the referendum did so by much smaller margins.

¹¹ See ICG Africa Briefing, *Zimbabwe Update: Three Months after the Elections*, 25 September 2000.

¹² *The Zimbabwe Independent*, *The Financial Gazette* and the *Daily News* in March and April 2001 gave prominent coverage to the land invasions and highlighted involvement of CIO agents, police and army officers.

The president declared the farm occupations “peaceful demonstrations”¹³ and ordered the police not to take action. The farm invasions have been a key element in the cynical strategy by the President and his cronies to strengthen their electoral prospects by manipulating widespread desire for genuine land reform. The government-sanctioned land occupations have two primary goals: staunching the flow of funds from white commercial farmers to the opposition MDC and regaining an enthusiastic following among rural Zimbabweans by reviving the anti-white, nationalist rhetoric of the 1960s. The particular objective is to shore up ZANU-PF’s political base in the rural Shona heartland, where the issue plays favourably.

The invasions of the farms spread across the country until more than 1,800 properties were affected. The war veterans increased the level of violent intimidation and prevented many farmers from planting crops. On 15 April 2000, a white farmer, David Stevens, was killed. Although his murderers were positively identified by several witnesses, they continued to circulate freely in their communities, and the police made no arrests. To date, seven white farmers and ten black farm workers have been killed, some in apparently well organised hits. Despite many leads, there have been few arrests.

The government and police have ignored several orders from the High and Supreme Courts to stop the illegal occupations. Mugabe has repeatedly stated that neither he nor his government will heed any court order.¹⁴ The land seizures became the major campaign issue for ZANU-PF in the June 2000 parliamentary elections.

More than a year after the first farm invasions, hardly a single commercial farm has not been negatively affected. The war veterans and other occupiers have been placed above the law and are not prosecuted for violence perpetrated against white farmers and their workers, widespread theft

of cattle and other property, or destruction of property. In contrast, the police have been quick to press charges against white farmers who try to move the occupiers off their farms. Ongoing intimidation by the squatters continues to disrupt agricultural activity.

Mugabe has vowed that his government will not pay for the land, but he has said compensation will be made for permanent improvements, such as roads, dams and barns. The government said it will pay one-quarter of the assessed value of the improvements immediately and the remainder over five years. With the subjective determination of values, the delayed payment, and Zimbabwe’s current 60 per cent inflation rate, payments for improvements are likely to be just a fraction of true value. Given the poor state of Zimbabwe’s economy, it is not clear that the Government will be able to honour even this meagre commitment. The president has also raised the possibility that white farmers will not be paid at all. In January 2001, Mugabe said the courts have no authority to order his government to pay white farmers, land is a political issue, and his government will choose what to pay white farmers for it.¹⁵

The commercial farming sector, a mainstay of the economy, has been badly affected. Output from tobacco, wheat and maize, as well as from numerous other crops, is expected to be down by at least 30 per cent for the 2000-2001 season.¹⁶

In October 2000, cabinet ministers launched the ‘fast track’ land resettlement program in which poor blacks, chosen by ZANU-PF committees, go on to farms seized by government. But the ‘fast track’ resettlement has been slapdash and virtually unplanned. Families chosen for resettlement –

¹³ Mr Mugabe declared the farm invasions to be peaceful demonstrations on the Zimbabwe Broadcasting Corporation news in March 2001. Transcripts available from the Zimbabwe Media Monitoring Project.

¹⁴At the writing of this report, the Mugabe government was reported to be drafting legislation aimed at protecting farm invaders against eviction by law enforcement agents.

¹⁵ To date there has been no evidence of any compensation having been paid to the white commercial farmers whose land has been seized or invaded. See *Zimbabwe Independent*, 3rd March 2001, and *Herald*, 15 December 2000.

¹⁶ The Commercial Farmers Union, the Southern Africa Development Community (SADC) early warning unit, and the government’s own Agricultural Extension Service (Agritex) all predict substantial falls in Zimbabwe’s major crops, including maize, wheat and tobacco, ICG interviews. See also *Daily News*, 19 May 2001 for Agritex figures. The SADC early warning unit made similar points in its *Agroment Update*, released in June 2001.

which must be composed of ZANU-PF supporters – are dropped at farms and left to redevelop the properties on their own. Some have been provided with seeds and fertiliser but most have not. State tractors have tilled some resettled farms, but many more have not been ploughed. None of the resettled farmers have received training in how to develop their new plots. Many farms do not have adequate access to water, let alone to schools and clinics. Without such important support, many resettled farmers have abandoned the new land within months. None have been given title or even a legal document stating their rights. They remain on the farms by the grace of ZANU-PF.

The issue of land ownership is indeed an historic one of justice. In the late 1990s, 4,500 white-owned commercial farms occupied 70 per cent of Zimbabwe's most fertile areas. By contrast, up to eight million small farmers were tilling inferior soil in the Communal Areas. Furthermore, British – and to a lesser extent American – diplomats did make non-specific promises of support for land redistribution at the Lancaster House negotiations in 1979 which led to independence. These understandings helped ensure success of the talks then but remain a point of serious contention today.¹⁷

The question is not whether land should be redistributed, but how. There is general agreement

¹⁷ Pursuant to the understandings reached at Lancaster House, the ZAPU and ZANU nationalists reportedly gave undertakings that for the first ten years of independence, property laws would remain unchanged. Upon independence in 1980, 16 million hectares out of a total surface area of 39.6 million hectares were owned by white settlers, and the black rural population was located almost entirely in poor agriculture areas. The new government undertook to purchase land for resettlement through a voluntary system. In 1981, the government estimated that 162,000 families needed resettlement, which was to be financed by an international fund. In the years after independence, however, the issue became progressively controversial, and the international community discontinued financial support, arguing that land was being allocated overwhelmingly to the clients of the state rather than to poor back families. In 1992, the government amended the constitution and passed the Land Acquisition Act, based on compulsory acquisition of land, but this program failed both because of land owner objections and lack of government follow through. See, for example, S. Moyo, *The Land Question in Zimbabwe* (Harare, 1995).

that Zimbabwe needs thorough and far-reaching land redistribution and re-development of rural areas. There already exists a basis for resolving the issue that has been agreed among international donors and the Zimbabwean government. A major conference of international donors in September 1998 proposed a gradual redistribution with participation by all sectors of society. Above all it would have been transparent, peaceful, and lawful. Its primary purpose would have been to improve the standards of living of Zimbabwe's subsistence farmers while maintaining agricultural production. Small, viable farms would be created that would produce for the local market and for export. International donors would have provided the funds needed to train new farmers and develop land.¹⁸

A carefully planned land reform did not suit the government's need for a quick fix to regain rural support and intimidate suspected opposition. Consequently, Mugabe instituted the chaotic 'fast track' seizures and resettlement in order to appear to be the champion of rural Zimbabweans, who was willing to stand up to the former white oppressors.¹⁹

The resulting loss of agricultural production is a devastating blow that the already weakened economy will feel for years. Commercial farming was Zimbabwe's largest employer, providing jobs to more than 600,000 people. As a result of the farm invasions, the commercial farming sector applied in January 2001 to lay off more than 300,000 workers. Furthermore, Zimbabwe will have to import up to 500,000 metric tons of maize to fulfil its annual 2.1 million metric ton domestic requirement. Although the shortages are not expected until mid-January 2002, prices began to

¹⁸ ICG interviews in Harare with several diplomats from major donor nations and agencies.

¹⁹ See the detailed report by UNDP on land reform, which argued that the inception phase of the 1998 plan failed due to lack of commitment of the government, the landowners, and donors alike. It documented that "the situation drastically changed in February 2000, after the rejection of the draft constitution led by the Government of Zimbabwe, in which one of the clauses included the compulsory acquisition of land with compensatory responsibilities placed on the British government as the colonial power for compensation for land". UNDP Mission Report to Zimbabwe on the Land Reform Process, October 2000.

rise in June 2001, due to anticipation. The maize imports are expected to cost from U.S.\$30 million to U.S.\$70 million, depending on international prices.²⁰

For short-term political gains, the ruling party has threatened the very existence of a vitally important economic sector and promoted the breakdown of the rule of law. Unless and until that rule of law is restored, it will be extremely difficult to tackle other issues.

D. WAR VETERANS AS SHOCK TROOPS

The empowerment of a rogue sub-group of the war veterans in 2000 came as a major surprise to the vast majority of Zimbabweans. During the first two decades of independence, the government generally ignored the war veterans. Many took advantage of the new opportunities in Zimbabwe, sought education and found jobs. Some, however, remained uneducated and unemployed. In 1997 the late Chenjerai "Hitler" Hunzvi led the Zimbabwe Liberation War Veterans Association to prominence. The war vets, as they are often called, demanded state compensation for their role in the liberation struggle. After violent demonstrations and considerable pressure on President Mugabe, they were awarded Z\$50,000 each as a lump sum gratuity and a monthly pension of Z\$2,000.

These unbudgeted payments of approximately Z\$5 billion (at that time equal to about U.S.\$450 million) were severely criticised by most Zimbabweans as economically irrational, if not suicidal. When the payments were made in November 1997, the Zimbabwe dollar dropped

dramatically versus the U.S. dollar, and the budget deficit rose significantly.²¹ But by paying, ZANU-PF effectively ensured that it would be able to use a sub-group of the war vets (and many hoodlums masquerading as war vets) for its own purposes whenever the need arose. In the face of escalating unemployment and the rising cost of living, war vets who had remained unskilled had little choice but to support the regime that was providing them an income.

The association claims 40,000 members, but active members are estimated to be about 5,000 to 10,000. The war veterans have bolstered their numbers with unemployed youths and ZANU-PF supporters. In many cases they have been paid for their activities in the farm invasions and intimidation of rural voters.

Whereas the Youth and Women's Leagues had been in the forefront of ZANU-PF's earlier election campaigns, in 2000 it was mainly the war vets who took charge. Mugabe could no longer trust the youth and the women in his party, especially after the public rejection of the draft constitution in the February 2000 referendum. Indeed, it appears that most of the active youths who had been the backbone of ZANU-PF election campaigns have defected to the MDC. The majority of these young people were aggrieved by their unemployed status.

One of the key elements of the land invasions and of Zimbabwe's crisis as a whole is the leading role played by the war veterans as ZANU-PF's extra-legal enforcers. In addition to leading the farm invasions and carrying out violence, including murder, on the farms, the war veterans have performed numerous other acts of violence against opponents and critics of the government. On 1 April 2000, about 300 war veterans attacked a peaceful, legal march in downtown Harare with clubs, stones and iron bars. Police stood by as the war veterans singled out whites. One marcher was

²⁰ The government department, Agritex, forecast that maize imports of up to 500,000 metric tons would be necessary, at a cost of U.S.\$30 million to U.S.\$70 million, depending on international prices and also the cost of transporting the imports. If Zimbabwe is able to buy the maize from South Africa, for instance, then the transport costs will be much lower than if the staple grain must be shipped from Latin America. The Commercial Farmers Union, in interviews with ICG, and the SADC early warning unit in its June 2001 Agromet Update, agree that such maize imports will be needed in early 2002. Despite these authoritative reports (*Daily News*, 7 July 2001), Zimbabwe's Minister of Agriculture, Joseph Made, is quoted in *The Financial Gazette* newspaper, 21 June 2001, saying that no imports will be needed.

²¹ 13 November 1997 became known as "Black Friday" because there was a national power failure, and the Zimbabwe currency dropped from Z\$11 to U.S.\$1 to Z\$20 to U.S.\$1. Several leading economists, in interviews with ICG, stated that Zimbabwe's precipitous economic decline began with the unbudgeted payments to the war veterans and the subsequent crash in the value of the Zimbabwe dollar.

beaten unconscious, and several others required hospitalisation. The war veterans came from and returned to the ZANU-PF headquarters. No one was arrested.

During the campaign for the June 2000 parliamentary elections, the war veterans led gangs that terrorised people in the rural areas. Thousands were beaten and at least 32 supporters of the opposition MDC were killed. Police took little if any action. In some cases, the war veterans actually operated from police stations. War veterans set up illegal roadblocks on main thoroughfares and forcibly prevented the opposition from campaigning. They also took over border posts and schools, which they accused of being run by opposition supporters.

After the parliamentary elections, the war veterans continued to play a prominent role on behalf of the ruling party. In December 2000, 300 invaded the Supreme Court, charging that the country's highest court was upholding white interests. The group announced that, if the justices did not resign, they would be attacked in their homes. Also in December, in the central city of Masvingo, war veterans besieged the ZANU-PF provincial offices and forced the elected officials to vacate the premises because they had been critical of the president. The war veterans then imposed new officials loyal to Mugabe, who in turn chose all the party members to attend the ZANU-PF congress in Harare that month. In January 2001 war veterans chased municipal workers in Victoria Falls away from their offices for allegedly being disloyal to the Harare government.

On 16 and 19 January 2001 several hundred veterans besieged a privately owned newspaper, the *Daily News*, to protest its critical coverage of Mugabe and of Zimbabwe's involvement in the Congo war. The war veterans broke windows, beat up reporters and roughed up passing whites as police stood by. During the same week war veterans in rural areas seized and burned copies of the *Daily News* and other privately owned papers, which, they said, were banned in those areas.

War veterans' leader Hunzvi made numerous incitements to violence and threatened countless Zimbabweans. He said his war veterans would take Zimbabwe back to war if the MDC were to win the parliamentary elections. During the election campaign, 30 war veterans used his office in

Budiriro Township to detain, beat and torture scores of local residents. The Copenhagen-based International Centre for Rehabilitation of Torture Victims examined nine victims of political violence in a January 2001 by-election in Bikita and confirmed that they had been tortured. Six of the victims identified Hunzvi as one of their torturers. In late 2000, Hunzvi was present when a reporter for *The Standard* newspaper, Chengetai Zvauya, was dragged away from a meeting of war veterans and beaten for two hours. Hunzvi threw a petrol bomb at a small group of MDC supporters in January 2001, according to four MDC members of parliament who were present, and ordered 60 war veterans to "burn the vehicles and beat the people". He was acquitted by a High Court judge of having embezzled Z\$45 million from the war veterans' business, Zexcom, and of defrauding the state of millions of dollars by filling out false claims of disabilities caused by the war.

Deputies in the war veterans' organisation have also incited or committed violence. The most prominent is Joseph Chinotimba, who is on the payroll of the municipality of Harare as a city security guard but spent all of 2000 agitating against white farmers and MDC supporters. Though he is awaiting trial for shooting and seriously injuring a neighbour who supports the MDC and rarely reports for work, he was promoted recently by the Harare City Council.

ZANU-PF deployed the war vets in two by-elections after the June 2000 elections. Two thousand vets moved into those constituencies, utilising intimidation and targeted violence. As a result, ZANU-PF won both. Since the MDC had previously won the Bikita West constituency, the result suggested that concentrated intimidation by the war vets could undermine the electoral route as a viable option for democratic change.

In April and May 2001 the war vets, led by Chinotimba, escalated their strategy by systematically attacking urban factories and businesses. They invaded scores of factories, abducted top managers, both black and white, and took them to ZANU-PF provincial headquarters for beatings. The war vets used the excuse that they

were settling old labour disputes.²² This urban campaign's real objectives, however, were three-fold: to intimidate businesses suspected of supporting the MDC; to generate support among aggrieved urban workers, who overwhelmingly support the opposition; and to raise funds for the war vets and their activities.

Hunzvi's death in June 2001 has led to jockeying for his job. Chinotimba is a favourite of the president, as is Andrew Ndlovu, who last year threatened war if ZANU-PF lost to the MDC. Loyalty to Mugabe will be the primary qualification.

The war veterans have become an indispensable tool for the continued rule of Mugabe and ZANU-PF. Many, both inside and outside ZANU-PF, believe they are simply being used by Mugabe and will be disposed of when they are of no further use. But the prominence of the war veterans at the ZANU-PF congress in December 2000 and in the by-election campaigns in Marondera East and Bikita West shows that Mugabe is much too reliant upon them to sideline them. In addition, war veterans are being promoted into senior positions in the police – in many cases over longer-serving, better-qualified colleagues – casting doubts on the government's intention to restore the rule of law in the near term. In October 2000, Mugabe pardoned those who had committed acts of political violence in the run-up to that year's parliamentary elections. In December, Mugabe made the war veterans an auxiliary force of the army. The war vets have been placed above the law so they can inflict violence with impunity on any sector of society that opposes the president and his agenda.²³ They have become a political/military/criminal force that their sponsors may wish they had never unleashed.

²² This was done under the pretext that companies were under-paying their employees. The motive of this type of action was to undermine the ZCTU and, ultimately, the MDC, whose support base is formed largely from the urban work force.

²³ Only Vice President Joseph Msika appears on occasion to have criticised war vets for their lawlessness. Indeed, he has admonished them and asked them not to take the law into their own hands but the war vets have ignored him. See *Daily News*, 15 December 2000 and 14 April 2000.

E. COMPLICITY OF THE POLICE, ARMY AND INTELLIGENCE ORGANISATION

The Zimbabwe National Army (ZNA), the Zimbabwe Republic Police (ZRP), and the Central Intelligence Organisation (CIO) have all been thoroughly politicised so that their primary responsibility and loyalty is to the ZANU-PF leadership. The Commissioner of Police, Augustine Chihuri, stated in early 2001 that he supports ZANU-PF and will resign should the MDC come into power. The public order agencies mentioned above are headed by veterans from the Zanla forces, the armed wing of ZANU-PF during the liberation struggle. There has been little overt sign of dissatisfaction with Mugabe in these three state institutions. The general loyalty of the police and army leadership makes it appear the Mugabe regime is solidly entrenched.

But Zimbabwean society is more complex than this. Indeed, there have recently been clear signals that elements within the ZNA are increasingly becoming restive, resentful, and war weary as a result of their deployment in the Congo, particularly the junior officers and rank and file, who have seen their seniors enrich themselves with little trickle-down effect. Soon after the Christmas holiday 2000, media reports indicated that as many as 300 army personnel had been court-martialled for absconding from their duties in the Congo. The ZNA denied these allegations. As noted earlier, during public disturbances in the past three years, the ZNA has openly been used as a powerful force of repression against protestors. It has largely been ruthless with the general public, repressing students and opposition political parties, and supporting the farm invasions. The reigning culture of impunity encourages police and others to make no arrests.

Recently, some elements from within both the army and the police have been sending indications to the MDC that they are not willing to continue to be used to support the tottering regime. The MDC for its part has carefully indicated support for professionalism in both agencies.²⁴ However, in

²⁴ For example, during the parliamentary debate on the 2001 budget, the MDC's shadow minister for defence criticised cuts to the defence budget, alleging that they were tantamount to endangering the lives of Zimbabwean

the short term, Mugabe will still be able to make full use of the ZNA and the ZRP, as well as the CIO, should he feel threatened by the opposition. It is clear that the higher levels of the army and the police are quite comfortable with their status and privileges and do not want to see a change in the *status quo*. However, the lower levels of these forces could be instrumental in resisting further abuse of state structures for the benefit of the regime.

The national police force has perhaps been the most compromised. The police abdicated their responsibility to uphold the law in the land invasions. From the beginning, they refused to move trespassers off the private farms and did not act against war veterans who stole or destroyed property. Chihuri gave orders to his police to overlook the occupations and the related crimes of theft, destruction of property, assaults and even murder. Although the Commercial Farmers Union (CFU) brought a court case urging the police to uphold the laws, the police refused. Commissioner Chihuri again argued that the land issue was political and had to be settled by politicians, not police. Chihuri also told the High Court that the farm invasions had become so widespread that any police action might result in an escalation of violence.²⁵

In the case of the killing of white farmer David Stevens and his black farm manager on 15 April 2000, five neighbouring farmers went to the Macheke police station to report the kidnapping of Stevens. Armed war veterans physically dragged them from the police station while police stood by and watched. The five men were beaten unconscious. Despite the fact that police saw the war veterans and knew who they were, no arrests have been made in either the murders of Stevens and his manager or the beatings of the five farmers.²⁶ There are numerous other incidents in which police have failed to carry out their duties.

soldiers in the DRC. This stance apparently pleased elements within the ZNA.

²⁵The only exception was when a war vet shot and killed a policeman at an invaded farm. The war vet was arrested and charged with murder. *Daily News*, 15 April 2000.

²⁶Evidence in the murder of David Stevens and the lack of police investigation was compiled in the lawsuit pressed by his widow, Maria Stevens, against Mugabe and the government of Zimbabwe.

Yet the police have been very active in Harare and other cities where they have established scores of roadblocks to stop all motorists and search vehicles for weapons. The roadblocks are most intensive and disruptive when any kind of anti-government demonstration is planned. In the Bikita West by-election held in January 2001, police set up stringent roadblocks around the rural constituency but allowed ZANU-PF campaigners to pass through freely.

The army has also become highly politicised. Following the June 2000 parliamentary elections, it was deployed into several Harare townships, supposedly to assure there was no post-election violence. Harare's townships had voted overwhelmingly for the opposition MDC, and the troops made it clear that their orders were to punish the residents for their anti-ZANU-PF vote. The troops imposed a 7 p.m. curfew over the sprawling residential areas, entered numerous bars and meeting places, and beat up patrons at random, according to many residents. In one highly publicised incident, the troops beat up a man going out to buy a loaf of bread and knocked out his front teeth with a rifle butt. A photograph of the man's toothless grin appeared in Harare's newspapers, and the army never denied the story.

The Central Intelligence Organisation (CIO) has always operated undercover, so it is more difficult to assess its activities. It has an extensive network of agents throughout the rural and urban areas, and the war vets have used their reports about the MDC to target opposition supporters. CIO agents have also been identified as having organised several of the farm invasions.

By working hand in glove with the ruling party and the war veterans, the police, army and CIO have contributed significantly to the breakdown of the rule of law in Zimbabwe.

F. THE CONGO QUAGMIRE: EXTERNALISING ZIMBABWE'S PROBLEMS

In August 1998, Zimbabwean troops were invited into the Democratic Republic of Congo (DRC) by President Laurent Kabila to defend his government against invading Rwandan and Ugandan forces. Zimbabwe attempted to get a regional force from the Southern African Development Community (SADC) to intervene to help fellow member

Congo. Most SADC members refused to participate, but Angola provided air power, Namibia 3,000 troops, and Zimbabwe 8,000 (later increased to 12,000) troops. The intervention saved the Kinshasa regime, but the country was left divided between areas controlled by the government and its allies and those controlled by the rebels and their patrons.

Mugabe's decision to intervene in DRC can be explained by two factors. First, he saw a military intervention as an opportunity to assert regional leadership in SADC, especially over South Africa. He believed, moreover, that he had not received a return on his investment in the anti-Mobutu alliance in 1996 and that it was his turn to become the godfather of the Kabila government. Secondly, accessing Congo's wealth would compensate for the reduction of international assistance and allow him to find new opportunities for self-enrichment and for his patronage system. Increasingly, the Zimbabwean military presence in DRC has become an excuse for Mugabe to keep high level military officers busy and to send some of his opponents in to exile.

Zimbabwe's late Defence Minister, Moven Mahachi, maintained that the war would not cost Zimbabwe much, as the salaries of the soldiers would be the same whether they were in Zimbabwe or Congo. The government has never revealed the true cost of its involvement but it is estimated to be well over U.S.\$30 million per month.²⁷ Finance Minister Simba Makoni testified in Parliament in late 2000 that the DRC war had cost Zimbabwe approximately U.S.\$250 million up to that point, a figure many experts consider a gross underestimate. Nor has the government released casualty figures. The expenditure in the Congo bears a substantial part of the blame for the disastrous decline in Zimbabwe's economy. The foreign exchange spent on the war has resulted in the serious fuel shortages that have plagued Zimbabwe over the last two years.

Despite the war's unpopularity and high economic cost, Zimbabwean forces have remained in the Congo. Mugabe wants to ensure that the effort was not in vain, and he will be seen as a defender of African sovereignty and territorial integrity. Furthermore, Mugabe, top cabinet ministers and generals are benefiting from corrupt deals with the Congolese government and supply contracts. As foreign aid has shrunk over the past three years, resources from the DRC have become even more important. Mugabe's Zimbabwe likely will comply with the Lusaka Cease-Fire Agreement to a point but not withdraw completely from the Congo until satisfied that it has been fully reimbursed for saving the Kinshasa government and that it has an alternative source of funding to continue to pay its own troops and finance the next election campaign at home.

G. THE GOVERNMENT'S WAR ON THE MEDIA

The government tightly controls the state-owned news media, including the Harare *Herald* and Bulawayo *Chronicle*, the Zimbabwe Broadcasting Corporation (ZBC), and the news agency Ziana. These have become government mouthpieces with little credibility with the Zimbabwean public. Government control of the state media increased noticeably under Information Minister Jonathan Moyo, who was appointed after the June 2000 elections.

Zimbabwe's small privately owned newspapers provide independent and critical coverage of events and of the government. As a result, they are thriving. Two weeklies, *The Financial Gazette* and *The Zimbabwe Independent*, have uncovered numerous corruption scandals and provide information on the Congo war and the fuel shortage, which the state press ignores. *The Sunday Standard* also reports critically on the government.

Revelations in the privately owned press of dissatisfaction within the army over the Congo war infuriated the ZANU-PF army leadership. Two journalists, *Standard* editor Mark Chavunduka and reporter Ray Choto, were arrested illegally by the army in January 1999 and held for several days. They gave graphic accounts of being tortured, and medical examinations backed up their testimony. Mugabe publicly admitted that the journalists were

²⁷ The Mugabe government has not released full figures on the cost of its involvement in the Congo war but military experts estimate that this cost is far higher than what the government has released to date. ICG interviews with senior African military officers, 1999-2000.

kidnapped by the army, but he refused to criticise those who carried out the act.²⁸ Instead, he warned the press to avoid such sensitive stories. Despite substantial evidence and identification of the perpetrators, police have not arrested anyone.

In March 1999, a new, privately owned daily newspaper, the *Daily News*, was launched. Throughout 2000 it became the major alternative to state propaganda, and by late 2000 its circulation surpassed that of the *Herald*. The paper has subjected the Government to unaccustomed scrutiny, reporting critically on the Congo war, the breakdown of the rule of law, the farm invasions and corruption. This has incensed the government, which has issued the *Daily News* several ominous warnings. In April 2000 the paper's downtown offices were bombed. In January 2001, war veterans attacked the *Daily News* offices, beating up reporters and breaking windows.

The day after Minister Moyo wrote an opinion piece in *The Herald* calling the independent media a threat to Zimbabwe's national security, Hunszvi vowed to 'ban' the *Daily News*. The following day, 28 January 2001, the *Daily News* printing presses were bombed. Considerable forensic evidence points to a sophisticated military operation. The paper managed to keep printing, using other presses. In May 2001, the government pressed criminal defamation charges against *Daily News* editor Geoff Nyarota. Several *Daily News* reporters have been beaten by war veterans and other ZANU-PF supporters. One reporter, Sandra Nyaira, who was called a liar by Moyo, has pressed a defamation charge against him.

Following a Supreme Court judgement that the state could not hold a monopoly on broadcast networks, a privately owned radio station, Capital Radio, was launched in October 2000. The police quickly shut the station down and seized its transmitting equipment. The courts later ruled this was illegal. However, new legislation has made it extremely difficult for an independent broadcasting station to get a license.

²⁸ Mugabe made this extraordinary admission in a special address to the nation broadcast by the Zimbabwe Broadcasting Corporation in January 1999.

A high level delegation from the World Press Freedom Committee in May 2001 condemned the Zimbabwean government for repressive measures against the press. The visiting journalists criticised the government for not fully investigating the bombings of the *Daily News* printing press, adding, "The government has appeared to condone violence against journalists. This has created a climate of intimidation in the country." The delegation's report concluded that "Journalists have been the victims of lawlessness" and that the erosion of the rule of law in Zimbabwe had actively undermined their ability to function properly. It called on the Mugabe government to uphold the rule of law, cease intimidation against journalists and ensure press freedom and freedom of expression.²⁹ The director of the Committee stated to ICG that "The rule of law is being undermined daily in Zimbabwe. It is not a healthy democratic situation."

The high level of governmental control of the state news media and its intolerance of privately owned newspapers have increased polarisation and intimidation in the country. Nevertheless, despite the attacks and arrests, the independent press remains robust, and continues to be an important component in efforts for change.

H. RULE OF LAW AND THE COURTS

Zimbabwe's courts have succeeded against significant odds in maintaining their independence. They have issued many rulings that have unequivocally declared government policies illegal. The High Court ordered the police to move illegal squatters off the farms, as did the Supreme Court.³⁰ However, the government ignored the court orders. Mugabe and some cabinet ministers have publicly criticised the justices of the Supreme

²⁹ The delegation from the World Press Freedom Committee, based in Reston, Virginia (USA), was headed by Marilyn J. Greene, the organization's executive director. Its report on Zimbabwe was issued at a press conference on 10 May 2001.

³⁰ Zimbabwe's High Court handles most serious criminal offences and cases of a political nature. The Supreme Court hears only appeals from the High Court and cases that challenge the constitutionality of a law or government action. *Standard*, 18-24 February 2001.

Court as “relics of the Rhodesian era”³¹. In particular, they have singled out white judges on the Supreme and High courts for bitter invective.

War veterans invaded the Supreme Court, and both Supreme Court and High Court judges have received death threats. On 2 February 2001, Justice Minister Patrick Chinamasa announced that Supreme Court Chief Justice Anthony Gubbay would take early retirement. Gubbay, originally a Mugabe appointee, did not comment but legal sources say that Chinamasa told him the government could not guarantee his safety if he continued as Chief Justice. On 9 February, Chinamasa told Supreme Court Justice Nick McNally that if he did not take early retirement, the government could not guarantee his safety. McNally refused to give in to the thinly veiled threat. The state-owned *Herald* newspaper reported on 10 February that the government would seek to remove all five Supreme Court justices. Information Minister Moyo said the government would also seek to remove five High Court judges. High Court Judges James Devittie and Eshmael Chatikobo unexpectedly submitted their resignations in May, apparently in response to the government's ongoing intimidation. The campaign is an unprecedented assault on the judiciary.

A major reason the government wants control over the courts is to reduce the threat posed by cases in which the MDC has challenged the June 2000 victories of the ruling party in 37 constituencies on grounds of gross violence and intimidation during the campaign.³² Invalidation of the results in twenty constituencies – and MDC victories in the subsequent by-elections -- would give MDC a parliamentary majority. By mid-May 2001 the High Court had upheld the victories of three ZANU-PF candidates and had nullified the victories of three others. One contest ruled invalid was in the Buhera North constituency where MDC leader Morgan Tsvangirai was defeated. That race was marked by considerable violence, including the firebombing murders of two of Mr Tsvangirai's

campaigners by men in a truck with “ZANU-PF Manicaland Province” written on the side. One of the two men identified as the perpetrators was a CIO agent and the other a ZANU-PF member. Neither has been arrested for the murders.³³ On 23 April 2001, the International Bar Association issued a report that condemned the government for policies which caused a breakdown of the rule of law. The lengthy and detailed report followed the visit to Zimbabwe in March of nine internationally known lawyers, who met with Mugabe and several cabinet ministers. It concluded: “The events of the past twelve months have put the rule of law in the gravest peril. The circumstances which have been disclosed show, in our view, conduct committed by government which puts the very fabric of democracy at risk.” The Commonwealth Lawyers Association issued a similarly critical report in March 2001 that concluded: “It is obvious that Zimbabwe today poses the greatest challenge to Commonwealth political values.”³⁴ Leading Zimbabwean lawyers, including officials of the Law Society of Zimbabwe and the Zimbabwe Lawyers for Human Rights, agree that the rule of law is severely threatened.³⁵

I. ECONOMIC COLLAPSE

Each of the government's tactics – its attacks on the white-owned farms, the opposition MDC, the

³¹ Mugabe, Justice Minister Patrick Chinamasa and Information Minister Jonathan Moyo all derided white judges as holdovers from Rhodesia in February 2001. Their attacks on the judges were reported in *The Herald*.

³² A further reason undoubtedly is the government's desire to ensure favourable decisions in cases dealing with land related issues.

³³ Evidence submitted in the High Court in the case in which Mr Tsvangirai challenged his defeat in the June 2000 elections stated that two men in a truck with “Zanu-PF Manicaland Province” written on the side carried out the firebombing. Not only have the two men, who are well known in the area, remained free and not been charged, but one was promoted to become the head of the CIO office in Chimanimani in eastern Manicaland Province.

³⁴ The International Bar Association's delegation to Zimbabwe, led by Lord Peter Goldsmith of the UK, included eminent lawyers from India, the United States, South Africa and Barbados. The Commonwealth Lawyers Association issued a statement on Zimbabwe on 20 March 2001, which said “It is obvious that Zimbabwe today poses the greatest challenge to Commonwealth political values as enunciated by the heads of government in their successive meetings starting with Singapore in 1971, Harare in 1991, Millbrook in 1995 and Durban in 1999. It is important that these principles should not remain as mere pious platitudes but as principles to be implemented in practice by Government”.

³⁵ ICG interviews in Zimbabwe during winter and spring 2001.

privately owned press and the judiciary – has deepened Zimbabwe's economic troubles. In turn, the continued decline of the economy increases popular discontent with the government. All major sectors of the economy - agriculture, mining, tourism and manufacturing – experienced sharp downturns in 2000-1. The bottom line is that real incomes and GDP are declining, while unemployment and prices are rising. This scissors effect is cutting away the ability of ordinary Zimbabweans to cope.

The most glaring example of economic mismanagement is the crushing budget deficit that the government has maintained for years. For 2001, that deficit is estimated to be well over 18 per cent of GDP³⁶. Much government spending is on salaries and expenditure in non-productive sectors to maintain Mugabe's patronage system. In order to finance the budget deficit, the government has borrowed heavily from Zimbabwe's domestic market. This has taken up virtually all available capital so businesses cannot obtain money to expand.

Another highly detrimental economic policy has involved management of foreign currency. Zimbabwe's participation in the Congo war uses up virtually all its earnings of foreign exchange. The persistent shortage of foreign exchange causes the fuel shortage that began in December 1999. Huge petrol lines are commonplace. A fuel price increase of 74 per cent announced on 13 June 2001 generated a major protest strike on 3-4 July and will further worsen living conditions. Bus fares immediately spiked 50 per cent, and other basic essentials – including food – will follow. Fuel prices have tripled since the beginning of 2000. The country has been subsisting on less than half its ordinary fuel consumption.

Despite the shortage of foreign currency, the government has stubbornly maintained a fixed exchange rate. Since August 2000, this has been held at Z\$55 to U.S.\$1 though the parallel market

thrives at around Z\$140 to U.S. \$1.³⁷ Such an unbalanced exchange rate has badly affected exporters including tobacco growers, gold miners and manufacturers.

The invasions of large farms in 2000 and of factories in 2001 have badly damaged some of the economy's most productive sectors. Unemployment and inflation run neck and neck at roughly 60 per cent. There was some hope when Simba Makoni was appointed finance minister in July 2000 that he would provide better economic management but his performance in office has been disappointing.³⁸

³⁶ The Economist Intelligence Unit, in its June 2001 report on Zimbabwe's economy, found that by the government's own figures, the deficit is expected to be 18 per cent of the country's GDP, which is alarmingly high. But the EIU noted that the actual deficit will probably be much higher because of "extra-budgetary expenditure".

³⁷ ICG interviews in Harare and Bulawayo found that financial institutions and businesses readily offered up to Z\$140 for a single U.S. dollar in June 2001. International airlines essentially accepted this unofficial rate of exchange by quoting international fares in U.S. dollars and then converting them to Zimbabwe dollars at 130 to one. They said this is the cost they must pay to convert Zimbabwean dollar earnings into foreign currency to purchase fuel, pay international airport fees and buy other necessary imports.

³⁸ In an interview with ICG in May 2001, Mr Makoni defended the fixed exchange rate and blamed the business community for fuelling the parallel market. He also asserted that the rule of law in Zimbabwe was being maintained.

II. THE PRE-ELECTION POLITICAL ENVIRONMENT

A. MUGABE'S AUTHORITY

The first decade of Zimbabwe's independence was characterised by deliberate efforts to create a one-party state. The Lancaster House Constitution was amended several times to increase the powers of both the president and his cabinet ministers. The most barefaced amendment was Number 7 (1987), which abolished Mugabe's initial position of prime minister and created the all-powerful office of executive president. Mugabe has abused the powers in this constitutional amendment for his personal advantage and that of his party. Under them, he appoints virtually all senior officials in the civil service, the army, the police force, the diplomatic corps and other significant national institutions.

1. The Zezuru Factor

Most of the members of Mugabe's inner circle are from his Shona sub-group, the Zezuru, who occupy the Mashonaland East, Central and West Provinces. Mugabe's own sister, Sabina, has been a Member of Parliament for years, sitting on many committees and monitoring their activities for the president.

In the central government, Mugabe has consistently appointed to senior sensitive positions either Zezuru or highly trusted and loyal party members. Very few have been appointed because of their professional competence, except in instances in which the president sought to appease some politically important group. None of the people so appointed could question Mugabe with impunity. Loyalty must be unswerving, and betrayal in the short term is unlikely.

Within his Cabinet, Mugabe has built a solid circle of Zezurus and other ethnic groups that support him without question. The majority are people who have been with him at least since 1980. With Mugabe's intolerance of all forms of internal dissent, chances of a split within the cabinet are virtually non-existent.

Industry and Trade Minister Nkosana Moyo, who resigned from the cabinet in May 2001 because of

his opposition to the war veterans' invasions of factories and businesses, was so fearful that he moved his family out of the country before submitting his resignation to the president.

2. The Party

For two decades, ZANU-PF has been the largest political party in Zimbabwe. The results of the June 2000 elections, however, indicate that there has been a significant swing of support to the opposition MDC. Indeed, more than 50 per cent of the electorate voted against ZANU-PF during those elections. Many Zimbabweans agree that had it not been for government-sanctioned terror, ZANU-PF would have lost by a large margin. A poll by the Helen Suzman Foundation in 2001 found that 40 per cent of the electorate supports the MDC, only 15 per cent the government.

The governing party is in increasing disarray. The deaths in separate car accidents of Party Commissar Border Gezi and Defence Minister Movon Mahachi are blows to Mugabe. Hunzvi's death, apparently from AIDS, has introduced further uncertainty. The loss of the Masvingo by-election to the MDC demonstrates the party's declining popularity in a key constituency, and its campaign to attack businesses demonstrates its desperation. There is growing factionalism within ZANU-PF, and all efforts to resolve the problem have met with failure. Virtually all the provincial structures of the party suffer from divisions that threaten to severely weaken central control. Recently, the central leadership has had to resort to the use of war vets to discipline and even dismiss some provincial figures who challenged the Harare leadership or who have been alleged to be sympathetic to the MDC. Leaders like Eddison Zvobgo and Dzikamai Mavhaire, both of Masvingo Province, led a faction that opposed Vice President Simon Muzenda. Zvobgo was expelled from the ZANU-PF politburo in December 2000, a move which alienated much of Masvingo, the key province in next year's presidential election. Mavhaire was forcibly deposed as provincial chairman by the war vets.³⁹ In Manicaland, where factional problems are

³⁹ Mr Mavhaire lost his parliamentary seat to an MDC candidate in the June 2000 elections.

similar, the provincial leadership was also dissolved.

Party structures at the provincial level have been reorganised and elected officials replaced in an effort to tighten loyalty. This may further impair ZANU-PF's prospects, as it has lost experienced leadership, abandoned democratic structures, and made loyalty the sole reason for retention or promotion.

The question is whether the governing party's internal problems are serious enough to weaken Mugabe's political power base. They have already shaken ZANU-PF electorally. Over the years, Mugabe has displayed intolerance of even the slightest show of dissension by ruthlessly dealing with underlings who questioned his authority and that of his chosen inner circle. During the June 2000 elections, Mugabe and his closest advisors forced out several senior leaders, especially those who had criticised corruption and other government policies in Parliament. At least twenty of these former members of ZANU-PF have since organised themselves into a new political party. The extent to which they will be able to attract support from within the ranks of ZANU-PF still remains to be seen.

Many MDC supporters are also defectors from ZANU-PF. There are numerous accusations of a lack of a democratic ethic among the ZANU-PF leadership. Repeatedly, central party leaders have imposed leaders on the provincial levels and rejected popular choices. The support that the MDC is receiving in virtually all urban constituencies is evidence of growing disapproval of the ZANU-PF style of centrally controlled leadership.

Without Mugabe, ZANU-PF might be left rudderless at a moment of enormous challenges. The factions that he has allowed to grow within the party would attack and undermine each other in a potentially violent power struggle. Asked whether he would consider retiring in 2000, Mugabe retorted, "I cannot step down now when my party is in trouble." Nevertheless, Mugabe's divisive leadership has become a liability to his own party. Commissioners gathering views for the draft constitution in 1999 were overwhelmed by the public demand for Mugabe's departure and new leadership.

"Mugabe is the party and the party is Mugabe" is a well-known adage in Zimbabwean political parlance. It is, therefore, ironic that the greatest asset of ZANU-PF has turned out to be its chief liability. But it would be naive to assume that Mugabe could be deposed by elements within his own party. By harnessing the support of the war vets, Mugabe has strengthened his party position to the extent that even some of his closest associates are frightened of what might happen to them should they cross him.

ZANU-PF has since 1980 failed to transform itself from a militant liberation war movement into a democratic political party. There were half-hearted efforts to "democratise" the movement during the days when it was thought that ZANU-PF was invincible. Confronted with the decline of public support for the party and open hostility towards Mugabe, the party has resurrected its war tactics. This also explains Mugabe's strategies. The result for the party itself is a major internal transition that has entrenched a cohort of Mugabe loyalists at the expense of diversity and democracy.

3. Corruption and Patronage

Since the late 1980s, there have been calls on the government to indigenise the economy. The inherited Rhodesian economy was mainly foreign and white-owned, and this has tended to frustrate black Zimbabweans. Political muscle has been used by the Mugabe regime to forcibly indigenise the economy through the creation of state owned enterprises (SOEs), also referred to as parastatals. The majority of these were, until very recently, monopolies. Most were, and some still are, a major drain on the national treasury, since they annually lose millions of dollars.

SOEs have been the centrepiece of ZANU-PF's political patronage for many years. Senior politicians use them to further the interests of their families. The blatant violation of government tender procedures in public procurement of goods and services has become commonplace. Government contracts have allegedly been distributed among notable supporters of the governing party, relatives of the president and members of his inner circle. To legitimise some of these actions, dubious organisations have been formed. But Zimbabwe does not have a clearly defined indigenisation policy. Corruption and the looting of state assets seem to be the objective.

Transparency International Zimbabwe (TIZ) estimates that in the past five years alone more than fifty billion Zimbabwe dollars were stolen.⁴⁰ The estimate is based on media reports of corruption cases but may be just the ears of the hippopotamus.

There is ample evidence that Mugabe has deliberately made some decisions in favour of selected special friends and that he has received “gifts” of various kinds from some of these friends. A good example is the house being built for him by Airport Harbour Technologies (AHT), a company that mysteriously won the government tender to construct the new Harare International Airport a few years ago. That company was represented in the negotiations with government by Mugabe’s nephew, Leo Mugabe, who is alleged to have made millions of dollars in the deal. Mugabe tried to sell part of Zimbabwe’s electricity company, the Zimbabwe Electricity Supply Authority (ZESA), to YTL, a Malaysian company that is partly owned by the son of the Malaysian Prime Minister, a close friend of Mugabe’s. The sale was on very unfavourable terms for Zimbabwe. Fortunately for Zimbabwe, the deal collapsed, partly because YTL failed to come through on its part and partly because of pressure from the World Bank and IMF.⁴¹

There is also evidence that Mugabe, Speaker of Parliament Emmerson Mnangagwa, Commander of the ZNA Vitalis Zvinavashe, and a few others benefit tremendously from exploiting the Congo’s mineral wealth, especially diamonds.⁴² No court has ever tried any of the party leadership for corruption. The attorney general has not investigated or prosecuted cases of high-level corruption. Several corruption scandals have been

reported in the independent press without action. Mugabe has effectively resisted all efforts to prosecute his close associates. It is unlikely that Mugabe would be brought down by corruption, but its corrosive nature certainly will progressively undermine his government, and he could be vulnerable if he left office. This is a reason for him to hold on to power. Similar fears on the part of other beneficiaries in the inner circle ensure loyalty.

B. ZANU-PF CLOSES RANKS

In the early lead-up to ZANU-PF’s extraordinary congress in mid-December 2000, Harare was full of reports, in the media as well as from highly placed sources within the party, that Mugabe’s leadership would be challenged. But by early December it was clear this would not happen. Masvingo Province in southeastern Zimbabwe was the centre of a ZANU-PF faction opposed to Mugabe. But it was effectively neutralised when war veterans invaded province headquarters and chased away the party’s local officials. The war veterans then installed themselves as the party’s leaders in that province and chose delegates for the Harare conference who were entirely loyal to Mugabe. Party officials known to question the president’s leadership in other provinces, such as Manicaland and Matabeleland South, were also weeded out.

Far from being challenged, Mugabe was endorsed at the congress. He retained his control over membership in the party’s executive body, and he gave a speech that included blistering attacks on whites, the British government and the MDC. Mugabe praised the role of the war veterans in spearheading land redistribution. The speech was one of his harshest ever, without sign of conciliation or moderation of policies.

Many members of ZANU-PF, including members of the cabinet and politburo, are critical of Mugabe’s leadership and aware that he and the party are increasingly unpopular. But they do not have the power to challenge Mugabe. Although ZANU-PF is riddled with bitter divisions and rivalries, no faction calls for a fundamental change in policies, such as an end to involvement in the Congo war, to corruption and to economic mismanagement. It is unlikely that Zimbabwe’s

⁴⁰ The estimate is based on cases reported in the media between 1997 and 2001. The calculation was made by Transparency International Zimbabwe for a workshop in April 2001.

⁴¹ The collapse of the deal for YTL to purchase the Hwange power station was widely reported in Zimbabwe’s newspapers, including the *Zimbabwe Independent*, the *Daily News* and the *Financial Gazette*. The state-owned *Herald* newspaper also reported on the failure of the YTL deal.

⁴² Mugabe, Mnangagwa and Zvinavashe were all named as having benefited financially from mining deals in the Congo in “The New Scramble for Africa” which was published on the ZimNews website in February 2001.

crisis will be resolved by a change within ZANU-PF.

With the rise of the MDC in the June parliamentary elections, there was speculation among Harare diplomats and analysts that Mugabe could be persuaded to end Zimbabwe's crisis by forming a government of national unity. However, this has not been given serious consideration by either party. Mugabe, who plunged Zimbabwe into a state of near civil war in Matabeleland in order to assert the dominance of ZANU-PF over its rival nationalist party, ZAPU is not likely to accept the one-year old MDC as an equal. The MDC has won an avid following by offering principled opposition to ZANU-PF. Its leaders are well aware that any alliance with ZANU-PF would hurt them with their followers. In addition, the MDC knows that the Unity Accord of 1987 resulted in the end of ZAPU as an independent party. The suggestion, therefore, that Zimbabwe's crisis could be solved by the formation of a government of national unity is unrealistic.

C. THE MDC OPPOSITION

The MDC emerged in response to the political and economic crisis described above. It is part of the broader democracy movement in Africa, linked with numerous political parties and civil society organisations throughout southern Africa and beyond.

Following the June 2000 parliamentary elections, the new parliament convened with an unprecedented opposition bloc of 57 MDC members and one MP from ZANU-Ndonga. ZANU-PF was represented by 62 elected and 30 presidentially appointed members. The MDC began a spirited opposition, moving for the impeachment of the president on legal grounds. Predictably, the impeachment motion became bogged down in parliamentary procedures.

The MDC then launched a campaign in which it vowed to use mass action to achieve Mugabe's resignation, or at least get the presidential elections scheduled for April 2002 moved forward. Following the peaceful overthrow of Serbian leader Slobodan Milosevic by a popular uprising, many Zimbabweans were predicting that the Mugabe regime would be toppled by Christmas 2000.

But the police and the army brusquely thwarted any attempts at public demonstrations. The harshness with which the law enforcement officers responded convinced MDC leaders that any mass action in Harare would result in bloodshed, as police and army would fire upon demonstrators, providing a pretext for a major government crackdown or imposition of a state of emergency. Further, an angry crowd could become violent itself and turn on policemen and other government agents. The MDC, which enjoys considerable backing from church people and human rights organisations, did not want to be responsible for such bloodshed. As a result, it decided not to challenge the Mugabe government through mass action. Instead, MDC leader Morgan Tsvangirai said the party undertook to concentrate its challenge to the government on by-elections and the 2002 presidential election.

With MDC legal challenges to 37 parliamentary seats, based on well-documented charges of state-sponsored violence, intimidation and fraud, the party hoped that it would gain further ground in resulting by-elections. But ZANU-PF won the Marondera East and Bikita West by-elections after its war veterans employed blatant violence and threats. Marondera East had been held by ZANU-PF, so the ruling party's victory there was not a surprise. The MDC had won Bikita West in the June elections, however, and to lose it back to ZANU-PF was a setback. The Bikita West by-election had to be called because the MDC MP died. ZANU-PF pulled out all the stops to regain the seat, sending in the late war veterans leader Hunzvi and 3,000 veterans. Violence and intimidation blanketed the rural constituency. After ZANU-PF won that test, it vowed to capture every other by-election. The MDC will be hard pressed to win by-elections when the entire national might of ZANU-PF can be concentrated on a single constituency. Meanwhile, ZANU-PF continues to perfect its methods of violence and intimidation in advance of the 2002 national elections.

Morgan Tsvangirai faces another challenge with the charges of treason pressed against him by the government. The case stems from a speech he made on 30 September 2000, to mark the party's first anniversary, in which he said, "We ask Mugabe to go peacefully or we will overthrow him violently". Tsvangirai quickly clarified his statement, saying that he meant Mugabe risked being overthrown by a popular uprising, but

several months later the government decided to prosecute. Under the colonial era Law and Order (Maintenance) Act of 1960, the charges carry a maximum sentence of life imprisonment. According to Zimbabwe's constitution, anyone convicted and sentenced to six months or more in prison is ineligible to run for president. Therefore, if Tsvangirai is found guilty, he would not be able to stand for the highest office. Tsvangirai won an initial victory in May 2001 when the case was referred to the Supreme Court after his lawyers challenged the constitutionality of the applicable section of the Law and Order (Maintenance) Act.

The MDC also has internal pressures and divisions. The largest sub-group is labour. Other constituencies include reform-minded politicians, youth leaders, and white farmers. Some in the party think that the influence of the white farmers is disproportionate and should be reduced. There are also divisions between radicals and moderates over employment policy, land reform, and other issues. Defeat in the 2002 elections could lead to an internal revolt by more radical elements.

Nevertheless, the MDC and broadly aligned civil society organisations are well organised and highly motivated. There is a great deal of networking and coalition building within the opposition. The MDC is a multi-ethnic party which crosses racial and class lines, and it is generating an array of ideas for addressing Zimbabwe's political, economic, and social challenges.

D. ALTERNATIVE SCENARIOS

Zimbabwe has stood at a crossroads for most of the last year. While almost all Zimbabweans agree that there is need for drastic and urgent change, there is no general agreement as to what will transpire in the short term and what might counter current negative trends. There are a number of possible scenarios for how the crisis will play out over the next year, among them the following.

The ZANU-PF leadership could soldier on without flinching and in the process totally wreck the national economy and what is left of the country's democratic reputation. Recent assaults on the courts and the independent press indicate that the party is determined to remove any obstacles to its power. Mugabe can easily argue that he needs to see to it that his party weathers the

storm of public rejection and demand for political change.⁴³ Some of his supporters have urged him to stay in power until all deserving Zimbabweans have been allocated land.⁴⁴

To entrench his power, Mugabe could declare a state of emergency, increase state-sponsored violence, and rig the 2002 elections, using all of ZANU-PF's finely honed tactics to steal a victory, albeit one that could prove to be Pyrrhic. In February 2001 Mugabe deployed the army into Harare's townships to intimidate and beat people at random. The militarisation of the party and its supporters since the referendum ensures that if a violent path is chosen by the leadership, there will be serious consequences for opposition elements and the broader public. In response, organised, non-violent mass action, such as boycotts, are possible. In this scenario, ZANU-PF could either further consolidate its rule or implode, leaving open the possibility of a leadership change from within. If, however, the leadership judges that these harsh tactics are not necessary, it will seek a form of lowest common denominator democracy, undermining the system just enough to win the elections, but not so much that it is impossible afterwards to obtain foreign assistance.

There is also the possibility – particularly if South Africa assumes a more active role – that Mugabe could actively groom a suitable successor from among his younger subordinates between now and before the 2002 presidential elections. Speaker of the Parliament Emmerson Mnangagwa is the leading candidate in this scenario. Recent speculation within ZANU-PF indicates that Mugabe may be quietly assembling a new team to take over from him and his two aged vice presidents, Simon Muzenda and Joseph Msika. The possible new team is said to comprise Mnangagwa

⁴³ On the eve of Zimbabwe's 21st Independence anniversary, in a televised interview on the state-owned Zimbabwe Broadcasting Corporation, Mugabe stated that he would stand for the 2002 presidential election. He also indicated that he would consider "taking a rest" after the election and after ensuring the tenure in office of his political party. IRIN, "Mugabe looks forward to presidential poll", 18 April 2001.

⁴⁴ These are mainly people who are benefiting from Mugabe's prolonged stay in office. It is more from fear for themselves than love for Mugabe that they urge him to stay on.

as President and Ignatius Chombo, the minister of local government, and John Nkomo, minister of home affairs, as vice-presidents. The speculation suggests that it would take over at or shortly before the presidential elections in 2002. Mugabe would require assurance from any heir apparent that an early official task would be to grant him immunity from prosecution in his retirement. Likely benefits for Zimbabwe if Mugabe were to announce that he will leave office by early spring 2002 include that donor governments and agencies could be expected to welcome the move and resume their development support. But it would be important for the international community to look at his ZANU-PF successors before rushing to assume that the country's problems were over: Mnangagwa and some of his colleagues do not inspire confidence in this respect.

Senior army officers have reportedly put out feelers that they would be prepared to move against Mugabe if instability were to worsen considerably. This scenario could unfold in a manner in which the army does undertake a coup, or Mugabe and the leadership turn power over to the military to restore order in exchange for the protection of their assets and immunity from prosecution. Raising a threat of military dictatorship could also be a managed effort to send a message to the region that things could get worse. There are enough divisions within the army to make this variable very hard to predict.

E. THE SADC FACTOR

The Congo conflict and internal problems in Zimbabwe have undermined Southern African Development Community (SADC) cohesiveness and its attempts to develop a more political agenda through the SADC Organ on Politics, Security, and Defence. Zimbabwe is important in the SADC region for various reasons. Its good road and rail networks provide efficient and reliable transit between South Africa and Zambia, the Congo, Malawi and Tanzania. Zimbabwe exports considerable amounts of mineral, agricultural and manufactured products to countries in the SADC region. It also imports substantially from the region, especially from South Africa and Namibia.

State collapse in Zimbabwe could, therefore, have serious negative implications for the region as a whole. Indeed, the prevailing political instability

appears to have adversely impacted on the value of the South African currency and the Johannesburg Stock Exchange. The consequences of a total collapse for South African businesses could be catastrophic. At the least, further, political instability would almost certainly mean that SADC countries that share borders with Zimbabwe would face a serious refugee problem.

All that said, and well known in the region as it is, Mugabe's liberation-leader colleagues in the region have been unwilling to criticise his performance, however worried they may be by the potential impact of the deteriorating situation in Zimbabwe on their own countries. Just after his meeting with Colin Powell in May 2001, President Mbeki told South African parliamentarians that the root cause of Zimbabwe's deepening political and economic crisis was the failure by Britain to honour its colonial obligation to help resolve the unjust distribution of land. Mbeki refuted allegations that the land issue was being used by Mugabe to shore up his waning popularity and said that Pretoria and the international community should instead help Harare resolve the land problem.

South Africa is, of course, the key country within SADC. It fears the economic impacts of increased deterioration in Zimbabwe and worst-case scenarios involving mass refugee flows and violence. South Africa has meaningful leverage including the ability to cut off significant amounts of power, water and imports. But Pretoria does not want to provoke a collapse, preferring to manage the situation to prevent an explosion and reach out to elements in both ZANU-PF and the MDC to explore possible "soft landings" for the Mugabe government.

Mugabe believes he can afford to call South Africa's bluff for various reasons. He is aware of South Africa's own internal problems and its hesitance to apply serious pressure. Mbeki in the past would have faced resistance from South African business had he seriously considered imposing limited sanctions against Zimbabwe, but this could be changing. Increasing numbers of business leaders are urging Pretoria to "do something" about Zimbabwe since investment flows are being negatively affected. The South African private sector was alarmed by the Zimbabwean government's recent attacks on business interests, and this may have stiffened

Mbeki's resolve to push more assertively for free and fair elections and restoration of the rule of law.

Virtually all the cards Mugabe is playing to further his own political and economic interests could pose serious problems for South Africa. The race card, for one, could certainly heighten tensions within South Africa. South Africa has not yet resolved its own land issue, and many in that country praise how Mugabe is dealing with it.⁴⁵ Nevertheless, Mbeki must demonstrate leadership if there is to be hope for real, peaceful change.

III. AN INTERNATIONAL STRATEGY FOR CHANGE

A. THE NEED FOR A BROAD BASED RESPONSE

Developments since the February 2000 referendum have lessened both regional and wider international support for Mugabe's regime. The breakdown of law and order, state-sponsored farm invasions and factory invasions, racism against white commercial farmers, attacks against supporters of opposition political parties, widespread corruption in high places, and the continued military campaign in the Congo have combined to create an environment that is generally hostile to both foreign direct investment (FDI) and official development assistance (ODA).

The consequences of this isolation include a crippling fuel crisis that has lasted for more than seventeen months;⁴⁶ a chronic shortage of foreign exchange which has resulted in many companies operating at far below capacity with several closing completely;⁴⁷ a dramatic brain drain with skilled people of all races leaving for greener pastures abroad;⁴⁸ and the threat of a countrywide food shortage. Practically everything that can go wrong is going wrong in Zimbabwe.

The IMF and the World Bank stopped providing balance of payments support two years ago. Several other development agencies and donors followed suit as the rule of law collapsed. Zimbabwe currently receives some support from such disparate countries as Malaysia, China, Libya and North Korea. Most of this, however, is limited to military assistance, does little to boost the

⁴⁵ The AFP news service reported 26 June 2001, for example, a statement from the National Land Committee (NLC), a body of South African organisations and individuals, warning of Zimbabwe-style land invasions in South Africa. The NLC statement, issued that day, said, "In the context of the continued massive inequality in land access ... and the political and economic powerlessness of the rural poor, this kind of action is inevitable and morally justifiable."

⁴⁶The National Oil Company of Zimbabwe (NCZIM) is alleged to have cost the nation large sums through corruption, which led the then Minister of Transport and Energy, Enos Chikowore, to resign.

⁴⁷The Confederation of Zimbabwe Industries (CZI) claims that some 750 industries have closed down in Zimbabwe since 2000. The ZCTU places the figure for 2000 at 400 companies and job losses affecting some 10,000 workers.

⁴⁸ It is estimated that some 4,000 skilled workers have left Zimbabwe for greener pastures every week since January 2001. At least 1,000 Zimbabweans, mainly white, have sought police clearance to migrate to Australia. IRIN, 26 June 2001.

productive sectors of the economy, and raises suspicions of corruption among local business people.

The Zimbabwean opposition and civil society, the southern African region, and the broader international community are faced with an immense challenge in attempting to influence the course and pace of change in Zimbabwe. It is important to take into account how impervious Mugabe is to hortatory or symbolic international pressure and to what extent he uses that pressure to support his efforts at internal mobilisation.

What is needed is a broader strategy for change that encourages pro-reform forces in the country but also provides Mugabe with, if he chooses to follow it, an honourable way out of what he may see as the dilemma of ending his long political career with security and at least a portion of his reputation before history intact. A modified "Yugoslavia" strategy has some attractions in this respect. It would be focused specifically on the 2002 election, which more than anything else provides the possibility for an accurate reflection of the will of the Zimbabwean people and a consequent return to the rule of law. It would include the threat of meaningful, targeted pressures against the ZANU-PF leadership but involves restraint in the application of such pressures until and unless Mugabe demonstrates beyond doubt that he is not prepared to permit a free and fair election. It could also include, if acceptable to (and not seen as counterproductive by) the groups in question, a package of support for opposition forces.

An important part of the strategy for change would be to put the land issue on the path to resolution before the 2002 elections so that the regime could not misuse it to mobilise voters through anti-white propaganda. The declaration on 9 July 2001 by the Organisation of African Unity (OAU) foreign ministers in support of Mugabe's confrontational position is an indication of growing hostility towards European countries -- especially the UK -- and has the unfortunate effect of polarising the debate further. Nevertheless, international donors should reengage Mugabe in serious negotiations to revalidate the consensus reached at the 1998 donors conference. If this can be done, they should build a trust fund for implementation of land reform, as recommended in the October 2000

UNDP Mission report,⁴⁹ in advance of the elections.

B. EXTERNAL PRESSURES AND INCENTIVES

President Mugabe has shown himself indifferent to the suffering of his fellow citizens, indeed willing if necessary to use murder, torture, and other forms of intimidation to stay in power. Economic sanctions that would hurt the people of Zimbabwe should be avoided. Only the threat of sanctions that are narrowly targeted at the President and his coterie of advisers stands a chance of modifying their behaviour. Imposing these kinds of sanctions now would give the government a rationale for further crackdowns and close off avenues of engagement in the electoral process for the international community. This is not what pro-change forces in Zimbabwe want at this stage.

Accordingly, the international community should make the presidential election the determinant of whether it imposes serious pressures. The Commonwealth, the European Union (including individual Member States), the United States, South Africa, and other key governments, working together to the maximum extent possible, should make it clear to Mugabe that they expect a free and fair election. United Nations Secretary General Kofi Annan should add to the pressure by sending an envoy to assist the Zimbabwe government in conducting free and fair elections, and to keep the Security Council informed of events. These actors should state precise conditions for such an election and spell out the consequences of a stolen or rigged election.

The conditions for a free and fair election should include an independent electoral commission, reorganisation of the voter registration rolls, free and fair campaigning and international monitoring both before and during the election period. It will also be necessary for the opposition to have access to such open and transparent assistance as the international community wishes to provide, and it wants to accept, to help it make up for the deficits produced by ZANU-PF's stranglehold on the levers of power. During this period for testing Mugabe's intentions, donor governments and the

⁴⁹ See footnote 19 above.

International Financial Institutions should continue the moratorium on balance of payments support to the Zimbabwean government, as well as any aid that is not directly related to basic human needs and fully monitored.

If the conditions for a free and fair election are not met, the consequences should be the following:

- Commonwealth member governments and other governments where ZANU-PF officials and their families have important holdings should freeze the assets of those key officials and their families and request endorsement by the UN Security Council.
- These governments should likewise impose travel restrictions on the most senior and responsible Zimbabwean government officials and their families and request endorsement by the UN Security Council.
- The Commonwealth should move to suspend Zimbabwe's membership.

Most of the key external actors already possess precedents and procedures for taking such actions. The Cotonou Agreement that governs EU assistance to Zimbabwe and other developing nations⁵⁰ allows the EU to move from an open dialogue about human rights problems under Article 8 to the imposition of measures, including the cut off of assistance and related sanctions under Article 9.6. On 25 June 2001, the EU Foreign Ministers issued a strong statement that regretted lack of progress in the ongoing political dialogue with the Government of Zimbabwe and said the EU would monitor the situation carefully and take appropriate measures if substantial progress was not made within two months.⁵¹ The U.S. Congress is considering a Zimbabwe Democracy Act that would intensify pressures on the government and provide support to pro-democracy elements.

The Commonwealth has considerable standing to address the issues discussed in this report. Its agreements on governance (negotiated, ironically, in Harare), contain specific standards on human

rights and democracy that are clearly being violated in Zimbabwe today. The 1991 Harare Declaration pledged Commonwealth members to "work for the protection and promotion of the fundamental political values of the association, namely democracy, democratic processes, fundamental human rights, the rule of law and the independence of the judiciary". The 1995 Millbrook Action Programme went further, establishing a Commonwealth Ministerial Action Group (CMAG) to "deal with serious or persistent violations" of the Harare principles. Multiple steps, ranging from expressions of disapproval to trade restrictions to suspension, were identified as appropriate responses to a member country "perceived to be clearly in violation" of the Declaration.

CMAG in March 2001 issued a statement on Zimbabwe that "noted especially recent reports [of] intimidation of the judiciary and the media" and proposed that a delegation of Commonwealth ministers visit Harare for consultations with the Zimbabwe government.⁵² Muted as the Commonwealth reaction was at that stage, Mugabe rejected this offer outright and appeared to set the stage for further confrontation in October 2001 at the forthcoming Commonwealth Heads of Government Meeting in Brisbane that could consider suspending Zimbabwe's membership. He changed tactics in June 2001, however, by responding affirmatively to a Nigerian proposal to send a special delegation (not CMAG itself) composed of the foreign ministers of Britain, Kenya, South Africa, Jamaica, Nigeria, and Australia to meet in South Africa the following month with Zimbabwe's foreign minister. Commonwealth Secretary-General Don McKinnon said "We see this as an opening of the door by President Mugabe. It is a very good sign." He held out the possibility the delegation would subsequently visit Harare but said, "We can only take it step by step."⁵³

⁵⁰ The so-called ACP – Africa, Caribbean, and Pacific – nations.

⁵¹ Press release, General Affairs Council, 25 June 2001.

⁵² See Statement on Zimbabwe, Fifteenth Meeting of the Commonwealth Ministerial Action Group on the Harare Declaration, London 19-20 March 2001.

⁵³ See press agency reports, 21-22 June 2001. Mugabe seemed to limit the proposed subject matter of the meeting to the land issue. News reports suggested he particularly desired to unblock £30 million in British funding for land redistribution and open the way for additional international assistance for that program. British and Commonwealth

Mugabe and all political actors in Zimbabwe should be given positive as well as negative incentives for a free and fair election. The World Bank, UNDP, and donor governments should create a Trust Fund now, aimed at reconstruction and job creation. The conditions imposed on that Trust Fund, however, should include that money will be disbursed only after determination that the 2002 election has been free and fair (and then, of course, regardless of who wins).

A potentially more important determinant for Mugabe to play by democratic rules will be whatever assurances he can obtain about his own security and that of his family and close associates in the event that he leaves office. This is obviously a matter for Zimbabweans themselves to decide, given the considerable wrongs they and their society have suffered and the significant sentiment that exists to achieve justice and accountability. However, the international community should make it known that it will not object in the event domestic arrangements are reached for some type of amnesty and a viable retirement as a means of facilitating a soft landing.

Generally speaking, all those external actors concerned about Zimbabwe's future – the southern African regional states, key European Union governments, the Commonwealth, the United States and other important donors – should consult closely with each other and, as much as possible, with leaders of Zimbabwe including the moderate opposition forces in order to craft messages and actions that pull in the same direction. Differences of approach will continue to exist, but the maximum effort should be made to act toward common objectives.

A great deal of work needs to be done to create more pressure on the Zimbabwean government by the region, led by South Africa. This is particularly important both because pressure from his regional peers – patronising though he tends to be toward his liberation juniors – is likely to be more meaningful to Mugabe than pressure from the big outside powers, and because it would minimise the

spokesmen indicated, however, that the delegation would expect to address wider rule of law issues. McKinnon said "If there can be some resolution toward those [land] problems, that would certainly see a settling down of many of the political issues which are currently in Zimbabwe, and hopefully some economic issues."

opportunities for Mugabe to blame the West for any increase in the suffering of the Zimbabwean people.

There is particular need for continued statements of concern by the Commonwealth, the UN Security Council, the EU, and key governments condemning state-sponsored violence and calling for a return to the rule of law – a potentially unifying theme for the international community.

U.S. Secretary of State Colin Powell recently signalled a willingness to increase pressure on Mugabe. This may provide cover for a more assertive posture by South Africa, to pursue the sort of harder line already espoused publicly by Nelson Mandela and Desmond Tutu, and for which there is support within the African National Congress.

C. SUPPORTING CHANGE FROM WITHIN

Ultimately, change in Zimbabwe will have to come from within but the international community can play a significant facilitating role. Potential support here falls into three categories: support for the development of media and civil society organisations generally; support for the electoral process itself; and – more controversially – more direct political support to level the playing field.

Support for Civil Society Generally. Donor government agencies and international organisations are already very active in these areas. Nevertheless, in advance of the 2002 elections, they should increase their support for the following:

- training, networking, mobilisation, civic education, and other activities aimed at supporting the development of civil society organisations;
- training and support for the parliament as an institution; and
- training for the independent press.

Assistance for the 2002 Electoral Process. International donors should provide technical assistance on the conduct and implementation of elections, advocate the establishment of an independent electoral commission and help fund it, support voter education, and insist that the government permit equal access to the media and

update voter registration rolls. The international community must insist upon both international and domestic monitoring of the process leading up to the elections as well as of the vote itself.

Direct Support for Levelling the Political Playing Field. The measures identified so far, though critically important, may not be enough in themselves to level the electoral playing field in the face of the Zimbabwean government's entrenched power and authoritarian tactics. Donor governments and international organisations should, therefore, consider pursuing additional approaches to promoting positive change, such as the following:

- Press the government to accept the clear meaning of the recent Supreme Court decision striking down its monopoly on the electronic media and to grant a license to one or more private radio stations. If the government refuses, this in itself would be clear evidence of an intention to conduct elections less than wholly free and fair such as would justify the initiation of some of the targeted sanctions discussed above.

- Provide increased development and possibly other financial and technical assistance through local civil society organisations in areas where moderate opposition forces have succeeded in electing MPs or have gained control of local government (such as Mosvingo). Such assistance would help create a positive dividend for courageous voting and be particularly important because the government is starving such areas of development
- Offer institutional support, including provision of office and transport and communications equipment (telephones, copying machines, computers and the like) of a kind that shortage of foreign exchange makes it difficult for opposition parties and civil society organisations to obtain.

The last two of these proposals would certainly require consultations between donor government and international organisation representatives and local recipients as to whether the latter are prepared to assume the enhanced risk of increased external support. They may well make the judgement that such support is counterproductive, and any such judgement should be respected.

Harare/Brussels, 13 July 2001

APPENDIX A

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is a private, multinational organisation committed to strengthening the capacity of the international community to anticipate, understand and act to prevent and contain conflict.

ICG's approach is grounded in field research. Teams of political analysts, based on the ground in countries at risk of conflict, gather information from a wide range of sources, assess local conditions and produce regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports are distributed widely to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's internet site, www.crisisweb.org. ICG works closely with governments and those who influence them, including the media, to highlight its crisis analysis and to generate support for its policy prescriptions. The ICG Board - which includes prominent figures from the fields of politics, diplomacy, business and the media - is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; former Australian Foreign Minister Gareth Evans has been President and Chief Executive since January 2000.

ICG's international headquarters are at Brussels, with advocacy offices in Washington DC, New York and Paris. The organisation currently operates or is planning field projects in nineteen crisis-affected countries and regions across four continents: Algeria, Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone, Sudan and Zimbabwe in Africa; Burma/Myanmar, Indonesia, Kyrgyzstan, Tajikistan, and Uzbekistan in Asia; Albania, Bosnia, Kosovo, Macedonia, Montenegro and Serbia in Europe; and Colombia in Latin America.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Canada, Denmark, Finland, France, Germany, Ireland, Japan, Luxembourg, the Netherlands, Norway, the Republic of China (Taiwan), Sweden, Switzerland and the United Kingdom. Foundation and private sector donors include the Ansary Foundation, the William and Flora Hewlett Foundation, the Charles Stewart Mott Foundation, the Open Society Institute, the Ploughshares Fund, the Sasakawa Foundation, the Smith Richardson Foundation, the Ford Foundation and the U.S. Institute of Peace.

July 2001

APPENDIX B

ICG REPORTS AND BRIEFING PAPERS*

AFRICA

ALGERIA

Algeria: The Press in Crisis, Africa Report N°8, 11 January 1999

Algérie: La Crise de la Presse, Africa Report N°8, 11 January 1999

The People's National Assembly, Africa Report N°10, 16 February 1999

Assemblée Populaire Nationale: 18 Mois de Législature, Africa Report N°10 16 February 1999

Elections Présidentielles en Algérie: Les Enjeux et les Perspectives, Africa Report N°12, 13 April 1999

The Algerian Crisis: Not Over Yet, Africa Report N°24, 20 October 2000

La Crise Algérienne n'est pas finie, Africa Report N°24, 20 October 2000

La concorde civile : Une initiative de paix manquée, Africa Report N°24, 9 juillet 2001

BURUNDI

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