

AFRICAN UNION MUST SHOW RESOLVE

The jury is out on whether regional states have the will to apply meaningful pressure on Zimbabwe's leaders.

By Caroline Tosh in London

As President Robert Mugabe arrived in Egypt to attend an African Union, AU, summit, calls for the grouping to take resolute action on Zimbabwe were growing ever louder.

There is general agreement that any solution should come primarily from Zimbabwe's neighbours, although there are substantial differences over tactics and the desired outcome, ranging from a negotiated settlement to non-recognition of Mugabe as head of state, further sanctions and even the intervention of a peacekeeping force.

AU members at the summit made it clear they accepted Mugabe's legitimacy as president, while calling for dialogue and a shared "government of national unity".



Credit: Lazele

African Union observers leaving a Harare polling station during the presidential run-off. Picture taken June 27.

International leaders and rights activists have been calling for the AU to take resolute steps to end the political impasse in Zimbabwe, as well as to address ongoing human rights abuses.

When the summit opened in Sharm el-Sheikh on June 30, Jean Ping, who

chairs the AU Commission, set an assertive tone by telling the assembled heads of state that African states must tackle the crisis.

"Africa must fully shoulder its responsibilities and do everything in its power to help the Zimbabwean parties to work together to help overcome

NEWS IN BRIEF

- President Robert Mugabe was inaugurated for a further term as president on June 29 after an election two days earlier from which the opposition had withdrawn because of mounting political violence.
- While western governments dismissed the ballot as a sham and said Mugabe no longer enjoyed legitimacy as head of state, an African Union summit held on June 30 and July — and attended by the Zimbabwean leader — did not condemn him and simply implored

both sides in the dispute to engage in dialogue.

- Zimbabwean officials have welcomed the African Union's call for a government of national unity, which has been rejected by Morgan Tsvangirai, the Movement for Democratic Change leader who pulled out of the election race last week.
- The European Union said it would only recognise such a government if it was headed by Tsvangirai, but this was rejected by South African

president Thabo Mbeki, who is set to continue in the role of official mediator between Zimbabwe's leaders and the opposition.

- The Munich-based firm Giesecke and Devrient said on July 2 that it would no longer provide banknotes to Zimbabwe. The company had come under increasing pressure from the German government to halt the supply of notes. The actual printing is done in Zimbabwe, where larger denominations periodically have to be issued to keep pace with currency devaluation.

their country's problems," Ping said, in remarks quoted by Reuters.

In a report released to coincide with the start of the summit, AU election monitors said that "the electoral process fell short of AU standards".

Analysts interviewed by IWPR before the meeting expressed doubts as to whether the 53 members of the AU — several of whose leaders were not elected democratically — would take a tough line against Mugabe's regime.

While western states said beforehand that the vote would enjoy no legitimacy — US Secretary of State Condoleezza Rice, for example, called it a "sham" — regional leaders had been slower to take such a hard line. Last week, the United Nations Security Council, UNSC, released a statement condemning the violence in the country and saying free and fair elections would be impossible in such a climate. However, pressure from South Africa led the Security Council to stop short of describing the vote as illegitimate.

African Union meeting focused on dialogue and unity rather than criticism of Mugabe and the election process.

In the end, the AU summit did not censure Mugabe, either, despite admitting it was "deeply concerned" about the situation, and it passed over the question of the election's validity in silence.

Expressing support for the idea of a government of national unity, the AU's final statement on July 1 resolved "to encourage President Robert Mugabe and the leader of the MDC party Mr Morgan Tsvangirai to honour their commitment to initiate dialogue with a view to promoting peace, stability, democracy and the reconciliation of the Zimbabwean people".

In another move that will disappoint the Zimbabwean opposition, the AU agreed that the mediation effort should continue to be led by the Southern African Development Community, SADC. Although the statement did not mention South African president Thabo Mbeki, the AU's decision not to take control of the negotiating process suggests his controversial policy of "quiet diplomacy" will remain in place.

MUGABE BRAZENS IT OUT

Mugabe attended the AU meeting after being sworn in for another presidential term on June 29. The country's election commission said he won 85.5 per cent of the vote in the June 27 ballot, in which he was the sole candidate after Morgan Tsvangirai, leader of Movement for Democratic Change, MDC, pulled out amid mounting attacks on opposition supporters.

Tsvangirai, who took refuge in the Dutch embassy in Harare last week, cited the risk of even worse bloodshed as his principal reason for abandoning the race.

Mugabe defied increasing international pressure — including from African leaders — to call off the election following Tsvangirai's withdrawal. He appeared determined ensure he went into the run-off in a position to reverse the result of the first round held on March 29, which officials said was won by Tsvangirai, but without the necessary 50 per cent of the vote.

In the parliamentary election also held on March 29, the two MDC factions took 109 of the 210 seats in the lower House of Assembly, while the ruling ZANU-PF got only 97.

Since then, human rights groups on the ground have reported widespread cases of assault, rape, torture and killing, particularly in areas where support for the MDC was high during the election. They accuse pro-Mugabe war veterans and ZANU-PF militias of

going from village to village, terrorising civilians. More recently, IWPR has been receiving reports of attacks and intimidation in urban areas as well.

The Joint Operations Command, a body comprising hardline leaders of the military, police and intelligence services, stands accused of orchestrating the violence.

During the crackdown, which peaked during election week, the MDC says more than 80 of its supporters were killed, another 10,000 people were injured, and more than 200,000 displaced.

WILL REGIONAL RESPONSE BE ADEQUATE?

Analysts are unanimous that pressure on Zimbabwe should come from regional countries rather than the international community, particular its close ally South Africa.

"Zimbabwe is almost entirely dependent on South Africa, economically," said Anton Dekker, of the Netherlands Institute for Southern Africa. As a major supplier of electricity, South Africa can turn off the lights in Zimbabwe, he added.

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Not only is South Africa best placed to pile on the pressure, it cannot be suspected of neo-colonialist ambitions — an allegation Mugabe has frequently levelled against Britain, reflecting a view with which some African leaders may have sympathised in the past.

There are suggestions, however, that regional states, in southern Africa in

particular, may lack the resolve to turn the screws on Mugabe, even if the alternative is a deepening internal crisis that threatens their own economies with a rising flow of refugees.

In recent months, South Africa's Thabo Mbeki has served as mediator between ZANU-PF and the opposition, acting under a mandate from the SADC.

But there has been much criticism of his policy of "quiet diplomacy" from the opposition in Zimbabwe, and increasingly also from leading South Africans, who argue that his refusal to openly criticise Mugabe fatally undermines his neutrality.

The AU itself has faced accusations of weak leadership and poor organisational structure.

On the BBC Today Programme on June 27, Africa editor Martin Plaut noted that only 23 out of the 53 African heads of state in the AU were themselves democratically elected. Therefore, he said, "You can't really see them taking a very strong line."

Plaut also pointed out that it could be difficult for the AU leaders to reach consensus on an approach as the union needs a two-thirds majority in order to make a decision.

However, this are some indications that African leaders are becoming more resolute.

Patrick Smith, editor of the UK-based magazine Africa Confidential, notes that in recent years, African leaders have shown more readiness to intervene to prevent human rights abuses. In 2003, for instance, the AU despatched peacekeepers to protect civilians in the Liberian civil war. That intervention was, said Smith, "unheard of".

"I think... this crisis is a turning point for South Africa. This is the first time that the states in the region have turned around and said, 'This has to stop,'" said Smith.



Credit: Lazele

MDC leader Morgan Tsvangirai speaks to the press at his home in Harare. Picture taken June 25.

As the situation in Zimbabwe worsens, neighbouring states have begun to round on the Mugabe leadership one by one.

The leaders of Zambia, Tanzania, Botswana and Angola have all now condemned Mugabe. On June 25, a troika of countries representing the SADC — Swaziland, Tanzania and Angola — said the unopposed re-election of Mugabe would lack credibility.

“Even Angola, which used to be a staunch ally of Mugabe, has criticised him” — Anton Dekker.

“What struck me is that even Angola, which used to be a staunch ally of Mugabe, has criticised him,” noted Dekker. “And that’s a very important development.”

Dissenting voices are making themselves heard increasingly strongly even in South Africa.

The head of the ruling African National Congress, Jacob Zuma, has taken a much tougher line than Mbeki, saying

last week that the situation in Zimbabwe was out of control. Although some observers have suggested Zuma’s stance is driven by a desire to embarrass his political rival Mbeki, they count as important since they come from a man who many believe will be the next president of South Africa.

Smith cited Nelson Mandela’s comments during his birthday celebrations in London on June 26 — in which he accused the Zimbabwean president of a “tragic failure of leadership” — as an important development.

“You now have a full frontal on Mugabe...you’ve got really the whole of South Africa condemning him,” he said.

Sydney Masamvu of International Crisis Group, ICG, said he hoped the mounting criticism of Mugabe from regional powers would prove a catalyst for change.

“The African countries are now divided, and I think those countries want to see some form of regime change, to work with some influential member of the [international community] to [provide] leverage for change,” said Masamvu.

"[This] can be a source of hope that Africa can rise up to the occasion and ensure that the situation in Zimbabwe does not deteriorate further."

Dekker dismissed suggestions that African countries were merely saying what the international community wanted to hear.

"Some African countries are saying that there need to be negotiations for a unity government. The rest of the world is saying we need a re-run of the elections" — Knox Chitoyi of RUSI in London.

While Angola could be acting to improve its international image ahead of its elections later this year, he said, he thought the criticism from Zambia and Botswana was largely sincere.

"Mugabe's regime is day after day becoming a regional liability to the other states, because there is no end in sight, it goes down and down and nobody knows what he really wants any more," said Dekker.

Mugabe's anti-western rhetoric has begun to wear thin with his allies, according to Dekker, who noted that in the past, "he had excuses — he was fighting colonialism and white land ownership — but now nobody believes him any more, even regionally".

WHAT CAN AFRICA DO?

While analysts agree that regional leaders should push for change in Zimbabwe, international opinion is divided on the kind of demands they should make.

Some advocate negotiations with the aim of concluding a truce between the Zimbabwean government and opposition, and putting some kind of

transitional arrangement in place. Others, however, want to see Mugabe de-legitimised and his regime subjected to tougher sanctions, perhaps with the imposition of an external peacekeeping force. Then there is the question of impunity — even if the violence subsides, human rights campaigners say perpetrators must still be brought to justice.

A "government of national unity" including MDC as well as ZANU-PF members, pending a further election, is now the AU's preferred option as an interim solution. Yet it could well prove impracticable because of the bad blood between the two sides, particularly the opposition's lack of trust in the Mugabe regime. Tsvangirai has already dismissed the idea.

Dr Knox Chitoyi, of the Royal United Services Institute, RUSI, in London, told IWPR that international players should themselves agree on a position.

"Some African countries are saying that there need to be negotiations for a unity government. The rest of the world is saying we need a re-run of the elections. So those are two different things," he said.

Chitoyi said the MDC should offer the international community a clear idea of the direction to proceed in.

"What's the vision? What's the game plan? Are we going for talks based on political settlement? Are we calling for the outside world to intervene? And only when you have that clarity can the international community get its act together," he said.

Smith said the SADC and AU should hold discussions on how best to deal with setting up a transitional government, prosecuting those responsible for human rights abuses, and introducing reforms in the country.

Tiseke Kasambala of Human Rights Watch believes the SADC's mediation effort has now reached the end of the road, and the task should be taken over by the wider AU, and "also at

some point the UN and the UN Security Council".

She said the AU should now refuse Zimbabwe a seat on the grounds that it has not held free and fair elections — a requirement of all member states.

"Our view is that [election] is unconstitutional, so what the AU should now be saying is that in their view, they cannot recognise any government that comes out of this farcical electoral process because their own charter on democracy and elections gives them that mandate," she said.

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Simeon Mwanza of human rights group Amnesty International called for the AU to apply diplomatic pressure on Zimbabwe to quell violence in the country.

"At this stage, we still pin our hopes on the AU — that they will do the right thing... at least they put pressure on the government of Zimbabwe to end the violence immediately and investigate those who are responsible for the violations and call for them to be brought to justice," he said.

"What we're also pursuing is a call for... international human rights monitors to go into Zimbabwe to investigate the human rights violations that are going on and also coming up with recommendations that the international community should fully support."

Some media reports have also suggested that UN or AU peacekeeping troops might be sent in to restore order.

On June 26, Tsvangirai denied reports that he had called a peacekeeping force.

Analysts point out the difficulties involved in sending in a military force, not least because Mugabe could be expected to be hostile to such a move.

“Zimbabwe is not like Darfur, where millions are clustered together in camps, so you know where they are and it’s easier to protect them,” said Chitiyo. “In Zimbabwe, [people] are being taken from their homes and killed. They’re not clustered in readily identifiable areas. That’s a very real practical problem.”

FURTHER SANCTIONS?

As Mugabe continues to defy international pressure, some say it is time to impose tougher penalties on the country. Others point out the difficulties of tightening sanctions against a broken country, warning that these could end up hurting its poorest and most vulnerable citizens.

The EU currently has travel bans and asset-freezing measures in place against Mugabe and 130 of his supporters, and the US and Australia have similar measures in place.

A leader in the British newspaper *The Times* last week suggested that sanctions should be imposed against Mugabe’s associates and top officials, focusing on their financial assets, their freedom to travel and their children’s education overseas.

Kasambala of Human Rights Watch noted that western sanctions against Zimbabwe have so far been ineffective and not properly enforced.

“I think from an EU perspective or western perspective... sanctions have clearly had no impact on the government of Zimbabwe,” she said. “Mugabe is still able to travel even though there have been travel sanctions in place. He has still been able to travel to Europe for



Credit: Lazele

People queue to vote during the election. Picture taken June 27.

international summits... so it has had little effect on [his] day to day life.”

However, she acknowledged the difficulties of imposing economic and energy sanctions without harming the people of Zimbabwe.

“Sanctions have clearly had no impact on the government” — Tiseke Kasambala, Human Rights Watch.

“[The international community] could be tough enough but that would have a significant negative impact on the people,” she said.

Dekker agreed that imposing further sanctions on the country would be controversial.

“With Zimbabwe’s economy so emaciated, how do you hit a country like that?” he asked. “It’s very difficult. Maybe some travel bans or freezing of assets [of leaders] would help.”

Many believe that before sanctions are applied, diplomatic efforts must first be exhausted.

“It’s very important that we don’t jump to the conclusion of just sanctions, but that we think of defined benchmarks of the international community and regional actors, in agreement — spelling out the steps, laying out the carrots and the sticks of such a process,” Masamvu told IWPR.

“I think diplomacy and leverage should be given a chance to bear fruit.”

PROSECUTING HUMAN RIGHTS ABUSES

Whatever new government is formed in the weeks to come, human rights advocates have called for Mugabe and other officials to be investigated for accusations that they masterminded atrocities against civilians.

The current wave of violence, they say, has stemmed from the culture of impunity that has existed for years, dating back as far as the killing of some 20,000 Ndebele people by Mugabe’s infamous 5th Brigade in the Eighties.

There has been some talk of referring Zimbabwe to the International Criminal Court, ICC, in The Hague. However, as Zimbabwe has never signed up to the

court's founding documents, a referral from the UN Security Council would be needed before an investigation could be opened. Alternatively, an ad hoc international commission of inquiry could be set up.

However, the fragile security situation in the country would make an investigation difficult, and the Mugabe regime and its security apparatus would resist it vigorously. At a diplomatic level, traditional allies of Zimbabwe including Security Council members China and South Africa could stop the process getting off the ground.

Smith said he was "hugely in favour of international justice becoming more robust".

"Atrocities have taken place. There needs to be some accountability," he said, while adding that this was a decision to be made by Zimbabweans.

"You've got to look at all available options so you can say to Mugabe and his backers: if you don't negotiate for a transitional regime, this is what awaits you: cell number 10 alongside [former Liberian president and ICC indictee] Charles Taylor."

Others say that justice should be pursued, but only once stability has been restored.

Mwanza said a national court should be the first port of call for prosecuting perpetrators, and international processes should only be pursued if these fail.

"The international community must not turn away" — Mark Ashurst, Africa Research Institute.

"The issue of bringing [high-level] perpetrators to justice would require more time, more reflection and review, the analysis of the situation on the ground, whether the perpetrators cannot be brought to justice at a domestic level, and whether one should go for the regional or international mechanism," he said.

Human rights workers warn against allowing the situation in Zimbabwe to

fall off the radar, even if levels of violence decrease following the run-off.

"If the international community — especially African leaders — were to turn a blind eye to what would basically be an illegitimate government and an illegitimate presidency, then that would only serve to deepen Zimbabwe's crisis, and also to deepen the effects of the crisis in the region as well," said Kasambala.

"So it's within their own interests to nip this in the bud, so to speak, and take the final step to force Mugabe to respect international human rights standards."

Mark Ashurst, director of the Africa Research Institute, a UK-based think tank, agrees.

"The international community must not turn away," he said. "And given the UN Security Council resolution and statements from neighbouring states in recent days, it doesn't look like it will."

Caroline Tosh is an IWPR editor in London. Jennifer Koons, an IWPR intern, contributed to this report. ■

The Zimbabwe Crisis Report is an initiative of IWPR-Africa's Zimbabwe Programme. This programme promotes democratization and good governance with Southern Africa and contributes to the development of a culture of human rights and the rule of law. Focusing on Zimbabwe the programme has three core components —

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The key purpose is to increase awareness in the Southern African region of the Zimbabwean situation and the implications for regional peace, security and economic development.

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