

ANNEXURE I: COMMUNIQUÉ ON THE ESTABLISHMENT OF A CIVIL SOCIETY MONITORING MECHANISM RELATING TO THE IMPLEMENTATION OF THE INTER-PARTY POLITICAL

We, representatives of civil society organizations, meeting in Harare on the 25th February 2009:

Acknowledging the signing of the Interparty Political Agreement (IPA) on the 15th September 2008 and the effective commencement of its implementation by the participating political parties on the 30th January 2009,

Noting the continued humanitarian, social, and economic crises which the country continues to face and needs to address urgently,

Deeply concerned at the continued assault on the fundamental rights and freedoms of the people of Zimbabwe, in particular human rights defenders and legitimate political activists,

In solidarity with our colleagues and others who remain unjustly incarcerated at various prisons, remand facilities and hospitals around Zimbabwe,

Guided by our earlier commitment and collective views as espoused in the Peoples' Charter developed through national consultative processes,

Mindful of the need for any legitimate government to pursue its mandate through inclusive, transparent, people-driven and participatory processes in order to ensure a swift return to democracy, good governance and the Rule of Law,

Further mindful of civil society's critical role and responsibility in scrutinizing politicians and political processes, and holding them to account, in order to maintain its watchdog role and moral authority,

Noting that in the event of the political deadlock necessitating dissolution of the agreement, fresh elections should be conducted under an internationally and regionally acceptable framework and supervisory missions,



Observing that the ordinary voices and views of the people of Zimbabwe have not been heard or acknowledged in the IPA and that ownership, monitoring and enforcement of the IPA is currently the exclusive reserve of political parties, state authorities and regional and international political organs who are not accountable to the people of Zimbabwe,

Now hereby resolve to:

1. **Immediately establish** an independent Civil Society Monitoring Mechanism which will, through shared and agreed benchmarks, focus on monitoring and assessing the adherence to and implementation of the Interparty Political Agreement (IPA) by those bound to its provisions through the work of five (5) main Thematic Clusters, namely:
 - a. Economy and Development (incorporating Economic Recovery, Land, Humanitarian and Food Assistance)
 - b. Constitutional Reform Process
 - c. Political Transition and Justice (incorporating Equality, National Healing, Cohesion and Unity, Traditional Leaders, and National Youth Programme)
 - d. Institutional Transformation (incorporating Rule of Law, State Institutions, Legislative Agenda, the Media and National Institutions)
 - e. Respect for Human Rights and Operating Environment (incorporating Rule of Law, Freedom of Expression and Communication, Free Political Activity, Freedom of Assembly and Association, and Security of Persons and Prevention of Violence)
2. **Ensure** that progress on critical issues which have been overlooked or remain unaddressed within the ambit of the IPA is also monitored; more particularly in relation to:-
 - a. Reform and accountability of the Reserve Bank of Zimbabwe in terms of its mandate under the law



- b. Economic Crimes and Impunity
- c. Reform of the Education Sector
- d. Reform of the Health Sector
- e. Security Sector Reform
- f. Judicial Reform
- g. Electoral Reform
- h. Local Government Reform

3. **Produce** Monthly Monitoring Reports which will be published, publicized, widely disseminated, simplified and translated, in order to allow the people of Zimbabwe to understand and discuss political processes, actions and decisions taken on their behalf and which have an impact on their lives, in order that they can demand accountability in an informed manner where they are of the opinion that their political representatives are failing to comply with the provisions they agreed to under the IPA.
4. **Engage** the Joint Monitoring and Implementation Committee (JOMIC) and all or any other responsible authorities and guarantors of the IPA on the basis of the findings and recommendations of the Monthly Monitoring Reports.
5. **So contribute** to a new culture of transparency, scrutiny and accountability of all public processes taken on behalf of the people of Zimbabwe by the political parties who purport to govern on their behalf.



Representatives of the civil society further clarify that this process, far from being an attempt to undermine political processes and agreements, is one which it has a responsibility to undertake as part of its independent watchdog role, and one which it will not hesitate to carry out to the best of its ability in line with the affirmations set out herein.

Thus done at Harare, Zimbabwe, this 25th day of February 2009.

PARTICIPATING ORGANIZATIONS

Bulawayo Agenda (BA)

Christian Alliance (CA)

Counseling Services Unit (CSU)

Crisis in Zimbabwe Coalition (CZC)

General Agriculture and Plantation Workers Union(GAPWUZ)

Legal Resources Foundation (LRF)

Media Institute of Southern Africa – Zimbabwe Chapter (MISA-Zimbabwe)

Media Monitoring Project Zimbabwe (MMPZ)

National Association of Non-Governmental Organizations (NANGO)

Progressive Teachers Association of Zimbabwe (PTUZ)

Research and Advocacy Unit (RAU)



Save Zimbabwe Campaign (SZC)

Veritas

Voluntary Media Council of Zimbabwe (VMCZ)

Zimbabwe Association of Doctors for Human Rights (ZADHR)

Zimbabwe Coalition on Debt and Development (Zimcodd)

Zimbabwe Election Support Network (ZESN)

Zimbabwe Human Rights Association (ZimRights)

Zimbabwe Human Rights NGO Forum (ZHRF)

Zimbabwe Lawyers for Human Rights (ZLHR)

Zimbabwe National Students Union (Zinasu)

Zimbabwe Peace Project (ZPP)

Zimbabwe Young Women's Network for Peace Building (ZYWNP)





ANNEXURE II: MONITORABLES AND BENCHMARKS

Below is the framework developed by civil society **organizations** to jointly monitor the implementation of the Global Political Agreement. It includes the variables which will be monitored as well as the benchmarks applicable. The benchmarks indicate the minimum expectations and deliverables of civil society on the Inclusive government

MONITORABLES

BENCHMARKS

PART I: ECONOMY AND DEVELOPMENT

ECONOMIC RECOVERY

- Establishment of the National Economic Council with popular and civic participation
- Inclusivity of the Council
- Measurable objectives and activities by the Council
- Inclusivity of diverse voices and interests in processes to restore economic stability and growth; with specific reference to civic society
- A responsive, responsible and transparent Ministry of Finance and Reserve Bank which deal responsibly with issues of production, food security, poverty, unemployment, inflation etc
- Differentiation between fiscal policy and monetary policy
- The Finance Ministry demands an audit of the RBZ accounts and activities and publication of the audit (including an Agricultural Inputs Audit)
- An Audit of the Public Debt
- Compliance with the SADC Resolution on the Economy



LAND

- A diverse and fully representative mechanism is established to conduct a land audit that is *non-partisan* and *transparent*
- Clear and wide terms of reference for the audit
- Work, findings and recommendations of audit are made public
- Recommendations are implemented
- Non-discriminatory allocations are effected

HUMANITARIAN AND FOOD ASSISTANCE

- Food from humanitarian agencies is being distributed on the ground
- Such distribution is occurring without discrimination in all areas
- There is no politicization of food aid and assistance
- Government-subsidized food is transparently obtained, allocated and distributed without discrimination
- Regional players operate in a transparent manner in assessing, supplying and distributing food, agricultural inputs etc
- Operating environment of CSO's

*GAPS : Corruption, RBZ Reform, Service Delivery, Education

PART II: CONSTITUTIONAL REFORM PROCESS

CONSTITUTION

- Transparent and timely establishment of Select Committee of Parliament with diverse composition and sub-committees



- Meaningful representation of, and powers for, civil society within all sub-committees for contribution purposes
- Full compliance with time-lines set out in Agreement
- Widespread national consultations with public and all civil society sectors on all relevant process and content
- Full involvement of all stakeholders in both All-Stakeholders conferences
- Timely publication of the report, recommendations and Draft Constitution presented to Parliament
- Meaningful inclusion of public through impartial and comprehensive publicity and information dissemination of Parliamentary debate on the Draft Constitution (broadcast and print media)
- No substantive amendments by Parliament of the Draft Constitution so as to deny the will of the people as expressed during the public consultation process and All-Stakeholders' Conferences
- Referendum complies with regional and international standards relating to elections

Process:

- People –driven and participatory
- Comprehensive consultation
- Favorable environment to allow for constitution-making
- Compliance with Peoples' Charter

Content:

- Justifiable bill of rights including all categories of rights
- Clear separation of powers, checks and balances



- National institutions
- Compliance with Peoples' Charter

CONSTITUTIONAL AMENDMENT NO. 19

- CA 19 Bill addresses comprehensively the various issues needing implementation in the agreement, including constitutional reform process, fair political framework and powers, committee on standing orders
- Parliamentary committees involved in passage of constitutional legislation are functional and allow public input
- Standing Orders are complied with in terms of publication of the Bill, time periods for public consultation, parliamentary debate, etc

PART III: POLITICAL TRANSITION AND JUSTICE EQUALITY, NATIONAL HEALING, COHESION AND UNITY

Equality

- End to violence, other human rights violations and intolerance against select groups
- End to politicization/denial of access to social services for different groups in a manner that meets the demands of economic and social justice
- National budgetary allocations should meet the demands of economic and social justice, as should implementation on the ground
- Visible and practical measures are put in place to address historical imbalances in the development of regions
- Equality of power and women in government ministries, departments and institutions





- Key positions are distributed according to competence and skill

National healing, cohesion and unity

- Full civic participation in consultations on the establishment of a mechanism
- Full participation and consultation with victims and survivors before establishment of any mechanism
- An enabling environment to allow for such consultations
- An acceptable and appropriate mechanism is subsequently put in place
- End to use of hate language by state agents and institutions, the media, public officials, etc
- Inclusivity in all national processes
- Release of political detainees

TRADITIONAL LEADERS

- Concrete measures (legislative or administrative) are put in place to ensure political neutrality of traditional leaders
- Traditional leaders cease engaging in politically partisan activities at community and national level

NATIONAL YOUTH TRAINING PROGRAMME

- Visible disbanding of current National Youth Training Programme centres nationwide within a fixed period
- Inclusivity in conceptualization of new National Youth Training programme
- Participation in such programme is optional

- Inclusivity in preparation of materials for training
- Non-partisan leadership of such programmes and transparency and accountability in reporting on progress

GAPS: Accountability issues (economic and other impunity)

PART IV: INSTITUTIONAL TRANSFORMATION

RULE OF LAW

Rule of law and State Institutions

STATE INSTITUTIONS

- All state actors uphold the Constitution and adhere to national laws and regional and international standards
- Measurable independence of state institutions (impartial, non-partisan and fearless in recruitment and administration) – judiciary, AG's office, police, prisons, etc
- Training curriculum for uniformed forces is urgently revised, with inclusion of experts from civil society, and implementation begins and can be monitored
- Those members violating laws face timely prosecution and/or discipline
- Recruitment is transparent and open to public scrutiny

LEGISLATIVE AGENDA

Legislative agenda

- Complete audit is undertaken with input from civil society
- Agenda is thereafter urgently developed and publicized, with the input of civil society
- Civic and public input is made central to legislative reform processes through Parliament and its committees
- Tangible reform of repressive legislation based on the audit



FREEDOM OF EXPRESSION AND COMMUNICATION

- Disbanding of Zimbabwe Media Commission/Media and Information Commission
- Timeline is set for issues relating to registration and licensing
- Processing for registration or re-registration is done by an independent, impartial and professional body in compliance with regional and international best practices until there is national media legislation reform
- Media is liberalized through issuing licenses to applicants in private and community sector
- Public media provides balanced and fair coverage to all political parties and other diverse players
- Elimination of hate speech
- End to violations against media practitioners and swift action taken against perpetrators of violations
- Cross media ownership
- Constitutional guarantees for the media

KARIBA DRAFT - NATIONAL INSTITUTIONS

Zimbabwe Electoral Commission ; Zimbabwe Media Commission; Human Rights Commission; Anti-Corruption Commission

GAPS: Security Sector Reform; Judicial Reform; Electoral Reform; Local Government Reform

PART V: RESPECT FOR HUMAN RIGHTS AND OPERATING ENVIRONMENT

RULE OF LAW

- As per benchmarks above



FREEDOM OF EXPRESSION AND COMMUNICATION

- As per benchmarks above

FREE POLITICAL ACTIVITY

- Political parties freely assemble and successfully hold rallies, public meetings and consultations
- Police do not abuse their powers under POSA, AIPPA and the Criminal Code to restrict meetings of political parties, civil society and other public groups

FREEDOM OF ASSEMBLY AND ASSOCIATION

- Police and other state and non-state actors do not commit violations against HRDs (including torture, unlawful arrest and detention etc)

SECURITY OF PERSONS AND PREVENTION OF VIOLENCE

- State agents abusing their powers are brought to swift justice through investigation and prosecution in a non-partisan manner
- Culture of tolerance, respect, non-violence and dialogue to resolve differences is restored
- Public statements and actions by government are made to stop and prevent all political and other violence
- Peace education and training is freely carried out within communities
- Displaced persons are freely allowed to return to their communities; no retribution is visited upon them and restoration issues are addressed
- Hate speech is eradicated



- Training programmes, workshops and meetings for the police and other enforcement agencies are carried out with the full input of CSOs with expertise in this area
- A public and inclusive mechanism is put in place to ensure the release of all political prisoners and to prosecute the perpetrators of electoral violence

PART VI: POLITICAL DEVELOPMENTS: FRAMEWORK OF GOVERNMENT

PART VII: DEVIATIONS FROM AGREEMENT: BY POLITICAL PARTIES, STATE INSTITUTIONS AND ACTORS AND OTHERS

PART VIII: MONITORING THE POLITICAL MONITORS

IMPLEMENTATION MECHANISMS

- Implementation and periodic review mechanisms are set up in terms of the Agreement and with full civic input

PERIODIC REVIEW MECHANISMS

- Civil society is able to monitor the work of such mechanisms and make representations to them
- Representations are taken into account in a visible and concrete manner
- Reports and recommendations of the mechanisms are made public
- Matters referred to the mechanisms are suitably resolved within reasonable time periods





ANNEXURE III: PARTICIPATING ORGANIZATIONS

PARTICIPATING ORGANIZATIONS

Bulawayo Agenda (BA)

Centre for Community Development in Zimbabwe (CCDZ)

Centre for Research and Development (CRD)

Christian Alliance (CA)

Civic Education Network Trust (CIVNET)

Counseling Services Unit (CSU)

Crisis in Zimbabwe Coalition (CZC)

General Agriculture and Plantation Workers Union(GAPWUZ)

Justice for Children Trust (JCT)

Legal Resources Foundation (LRF)

Mass Public Opinion Institute (MPOI)

Media Institute of Southern Africa – Zimbabwe Chapter (MISA-Zimbabwe)

Media Monitoring Project Zimbabwe (MMPZ)



National Association of Non-Governmental Organizations (NANGO)

Oxfam International (OI)

Progressive Teachers Association of Zimbabwe (PTUZ)

Research and Advocacy Unit (RAU)

Restoration of Human Rights Zimbabwe (ROHR)

Save Zimbabwe Campaign (SZC)

Students Christian Movement of Zimbabwe (SCMZ)

Students Solidarity Trust (SST)

Transitional International

Veritas

Voluntary Media Council of Zimbabwe (VMCZ)

Women's Coalition

Women of Zimbabwe Arise (WOZA)

Youth Agenda Trust (YAT)

Zimbabwe Association of Doctors for Human Rights (ZADHR)



Zimbabwe Coalition on Debt and Development (Zimcodd)

Zimbabwe Election Support Network (ZESN)

Zimbabwe Human Rights Association (ZimRights)

Zimbabwe Human Rights NGO Forum (ZHRF)

Zimbabwe Lawyers for Human Rights (ZLHR)

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