

# **ZIMBABWE LIBERATION VETERANS FORUM**

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To:

The President and First Secretary of ZANU PF – Mr R G Mugabe  
The President of the Movement for Democratic Change (MDC-T) – Mr Morgan Tsvangirai  
The President of the Movement for Democratic Change (MDC –M) – Prof Arthur Mutambara

Cc:

The SADC Facilitator for Zimbabwe- His Excellency President Jacob Zuma  
The Chairman of the SADC Troika – His Excellency President Armando Guebuza  
The Chairman of SADC – His Excellency President Joseph Kabila  
The SADC Secretariat - The Executive Secretary - Dr Tomaz Salomao  
The African Union Commission – The Chairman – Dr Jean Ping

## **MEMORANDUM SUBMITTED TO THE GPA PRINCIPALS**

Zimbabwe has been in the throes of political, economic, social and humanitarian turmoil since the beginning of the new millennium. It was against that background that everyone hoped against hope that the 29 March 2008 Election would bring some respite to the people and usher in an era of political stability. People's lives had been ravaged by the breakdown of basic services, a collapsed currency and the attendant hyperinflation. Alas, come the post 29 March period, that forlorn hope was miscarried. The failure to respect the outcome of the election and proceed in terms provided by the Constitution in handling the outcome of the election precipitated not only an electoral nightmare but a legitimacy and constitutional crisis as well. The reign of terror and the unprecedented wave of violence that characterised the subsequent presidential election run-off are common cause and beyond dispute.

It is our understanding that the consequent Global Political Agreement (GPA) of 15 September 2008 was intended to address the resultant electoral, legitimacy and constitutional impasse that was engendered by the Zimbabwe Electoral Commission, ZEC's ineptitude to handle the electoral outcome in terms provided by the country's constitution. It is thus instructive to remind the parties to the GPA in particular and everyone in general of the fact that we ended up with the GPA and its offspring, the Inclusive Government, not as a result of the deficiency of the current constitution, defective as it is, but on account of an electoral process that failed to bring about a legitimate government. Granted, some may consider the route of a new constitution as an appropriate remedy to the electoral crisis. But, equally, others could use that route as a distraction and delaying

tactic to divert attention from resolving the underlying problem. It is self-evident that Zimbabwe does not currently have a legitimate government based on the consent of the governed, not on account of a deficient constitution, but thanks to a failed electoral process.

It is our contention therefore, that the primary task of the inclusive government should be to address the factors that accounted for the failed electoral process. Everything else, in our view, becomes subordinate to and should further the paramount goal. We take full cognisance of the country's dire economic and social circumstances and the need to have a truly democratic constitution, but propelling them to become the overriding priority would be counterproductive and in the end militate not only against interests of sustainable democracy but also against the prospects of the country's recovery and long term welfare.

Postponement and deferment of the resolution of a problem should not be confused with its resolution. The current approach by the inclusive government is like getting to a point only a kilometre away by setting off in the opposite direction in the belief that since the world is round, we will get there anywhere, whenever; but at what cost in terms of resources, time and human suffering?

To us, the inclusive government should have been strictly a transitional arrangement, a means to a definite end i.e. the establishment of a legitimate government based on consent. That route can only be paved by addressing the attendant challenges to a credible electoral process and the acceptance of its outcome as inviolate popular will. We contend that this approach will lead, not only to the sustainable resolution of the political impasse but to the amelioration of the economic, social and humanitarian havoc as well and bring about lasting stability that is conducive to social prosperity and development. Taking the constitutional route as at present, only serves to accentuate political tension, destabilise the body politic and polarise the country before the shock absorbers of a stable and legitimate government are in place. In any case, given the best will, the outcome of the constitution debate would be another example of exclusionary elite pacting through bipartisan compromise; a far cry from a people driven product that should guide Zimbabwe for generations to come.

To this end, we hold that the road map to free, fair, transparent and popular elections should focus on addressing the glaring impediments to credible elections as the uttermost priority. We therefore call on the parties to the GPA to shift and realign their focus to this political imperative.

- i. Consistent with this approach would be addressing the issue of thoroughgoing security sector transformation as the overriding pre-requisite for holding credible elections and respecting the outcome thereof. Talking of free and fair elections without attending to this pivotal task would be indulging in idle discourse to no avail. The country's security forces are national institutions that should neither be viewed nor serve as appendages or the exclusive turf of a political party. The transformation of the country's security forces to serve non-partisan interests is of crucial and paramount importance. We live in a real world. To imagine that the constantly bickering parties to the GPA could push this one

through on their own would be wishful thinking. It is therefore self-evident and incumbent for SADC as the GPA guarantors, to chip in and spearhead the transformation in the interest of pulling a fellow member state from an abyss. Any other course of action would be tantamount to the betrayal of the people of Zimbabwe, holding them hostage to the whims of the political elite and an abdication of the norms and principles that the SADC heads of state have sworn themselves to uphold in the interest of promoting peace and stability within the region. The need for SADC to take the bull by the horns cannot be over-emphasised if a lasting solution to Zimbabwe's woes is to materialise.

- ii. Setting benchmarks for minimum institutional reforms that facilitate the holding of credible elections i.e. to the civil service, judiciary, Attorney General's Office, the Registrar General's Office
- iii. Legislative reforms or amendments to all statutes that have a bearing on the smooth conduct of elections such as the Electoral Act, POSA, AIPPA, Broadcasting Services Act
- iv. Compilation of a Voter's Roll that includes all Zimbabweans in the Diaspora. No political party, much less an inclusive government not based on popular consent, has the right to disenfranchise more than 50% of the country's eligible voters; those Zimbabweans whose displacement beyond the country's borders was not out of choice but dictated by the socio-economic collapse and political victimisation engendered by politicians
- v. Setting up of non-partisan statutory commissions not filled by partisan appointments to the exclusion of non aligned eligible and competent individuals. The exclusion of civil society representatives to the commissions perpetuates and holds them hostage to partisan interests to the detriment of the national interest. This is the worst form of exclusionary and reductive elite pacting. We therefore call for the re-constitution of all the statutory commissions on the basis of non-partisanship. Political parties are holding the reins of government, it therefore makes good sense, in the interest of balance, to leave the incumbency of commissions to civil society
- vi. Given the dysfunctionality of the inclusive government that is hamstrung by petty political bickering, jostling and positioning for power, it would be naive to entrust the organisation and running of watershed elections to it. We therefore call for the United Nations, the African Union and SADC as non-partisan entities of which Zimbabwe is a member, to assume the responsibility of supervising the elections. This should be self-evident given the problems that bedevilled the last election. This is in the interest of bringing finality and closure to the political paralysis afflicting the sick man of SADC.
- vii. There will be need for independent election observers and monitors from civil society the SDAC region, the African Union and the international community to be in place at least three months before the date of election.
- viii. At the heart of the country's inconclusive and rigged elections are politically motivated violence and the impunity of perpetrators. We demand that the inclusive government put an immediate end to all acts of politically inspired violence and impunity, failing which we shall call on SADC to provide a force to secure peace, the electoral process and the post election period up to the installation of a new government

- ix. We call on the inclusive government to ensure transparency in the exploitation of the country's resources such as the Chiadzwa diamonds to the benefit of everyone and not just the associates of powerful cabals. Why should the notorious diamond fields be off-limits to honourable parliamentarians, the elected representatives of the people? Sorting out the mess at Chiadzwa is a national priority in economic terms. With or without the Kimberly Process, the rot, human rights abuses and the illicit trade in diamonds should to be brought to an end swiftly in the national interest. Otherwise, proceeds from the precious stones could end up lining up the pockets of those hell-bent on resisting the democratisation efforts. It behoves Zimbabwe's Parliament to ensure that Zimbabwe's diamonds are exploited to the benefit of the nation.

Our proposal to focus on elections is driven by the desire to put an end to the misery, suffering and migration of Zimbabweans on the one hand, and the realisation of the liberation struggle's lofty ideal of democracy and the unfettered right for Zimbabweans to elect leaders of their free choice to political office on the other. Without this, the liberation struggle loses its revolutionary significance. We sacrificed for these ideals and many of our compatriots fell along the way in pursuit of these lofty principles that are taken for granted in civilised societies the world over. Our hearts bleed at the wounds that have been inflicted on our beloved country and society that has seen a whole generation lost to a warped value system based on greed and personal survival ahead of public good.

We call on the three principals to the GPA and their party organs, their members and supporters to abandon short sighted partisan pursuits in the interest of the country's greater good. Otherwise history will judge them harshly and designate them as enemies of democracy and the people's freedom that we are sure none of them would be comfortable with.

Signed:



Happyson Nenji 19 July 2010

for

ZLP Board of Trustees



Wilfred Mhanda 19 July 2010

for

ZLP Board of Trustees