

African Diplomacy and its Utility in Handling Electoral Elicited Political Crises: An Analysis of sadc and South African Diplomacy in the 2023 Electoral Dispute in Zimbabwe

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ABSTRACT

African diplomacy plays a crucial role in managing political disputes and electoral crises across the continent. An example of such a crisis is the disputed election in Zimbabwe, which occurred in 2023. Following the election into office of President Emerson Mnangagwa in 2018, the election held in August 2023 was highly anticipated as a potential turning point towards a more democratic future for Zimbabwe. However, the results of the election were contested, with the opposition party, Citizen's Coalition for Change, alleging electoral irregularities and calling the outcome into question. This sparked widespread unrest and increased tension within the country. African nations and regional organizations such as the African Union (AU) and the Southern African Development Community (SADC) were pivotal in addressing this dispute and attempting to find a resolution. The AU and the SADC intervened through diplomatic negotiations, urging political leaders to engage in dialogue and find a peaceful solution to the crisis. This paper will analyze the role of African diplomacy in the context of the disputed election in Zimbabwe by examining the actions and strategies employed by the AU and the SADC, as well as their effectiveness in mediating the conflict.

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Background

On 23 and 24 August 2023, Zimbabwe held elections to determine its President, National Assembly members, and local government representatives. According to official results released by the Zimbabwe Electoral Commission (ZEC) on 26 August, incumbent President Emerson Mnangagwa won a second term in office, securing 52.6% of the vote compared with 44% for main opposition leader Nelson Chamisa. The main opposition party – Citizen's Coalition for Change (CCC) – rejected the election outcome, alleging fraud in the process and have called for an election re-run. Based on reports of election observers, CCC also stated that the electoral process had been riddled with what they called “massive irregularities that undermined the legitimacy of the elections”. They have not, however, filed a court challenge on the grounds that do not believe they would receive a fair and impartial hearing from the courts.

On 23 August, the authorities arrested 41 staff members, from the Zimbabwe Elections Support Network and the Election Resource Center, who were engaged in lawful election observation in accordance with the Electoral Act. These arrests prevented efforts to independently verify the ZEC's announced results. The SADC Electoral Observation Mission (SEOM) also expressed grave concern about the threatening statements made about the SEOM and the personal attacks directed at the Head of the Mission by members of the ruling ZANU-PF party. Regional and wider international observers, including the SEOM as well as other missions from the African Union and the European Union also issued reports exposing deep flaws in the process. Most recently,

on 4 September, human rights lawyers Tapiwa Muchineripi and Doug Coltart were arrested and charged with obstructing the course of justice after advising the police that their clients – two CCC members – needed urgent medical care following their abduction. The two lawyers have since been released on bail.

History Of Elections in Post Independent Zimbabwe

Zimbabwe is born on 18 April 1980, after 90 years as the British colony of Southern Rhodesia, which ended in a brutal seven-year war between black nationalists and white supremacists trying to prevent majority rule. Guerrilla leader Robert Mugabe becomes prime minister on a promise of reconciliation and democracy. Mugabe's Zimbabwe African National Union (ZANU) and Nkomo's Zimbabwe's African People's Union (ZAPU) merge to form ZANU-PF. Mugabe changes the constitution to become an executive president.

1999: Dawn of the opposition

Trade unionist Morgan Tsvangirai founds the opposition Movement for Democratic Change (MDC) which, alongside civic groups, backs the successful “No” campaign against a constitutional referendum on land redistribution and presidential powers.

2002: Election violence

Mugabe is re-elected president in a poll marked by widespread violence and intimidation of opposition supporters. The Commonwealth suspends Zimbabwe. Five years later, Tsvangirai suffers a fractured skull after being badly beaten by police in detention after being arrested as officers broke up a rally.

2009: Unity Government

In March 2008, with the economy in freefall and record hyperinflation, the opposition claims victory in presidential and parliamentary elections.

The state withholds the results for a month before announcing a run-off for president between Mugabe and Tsvangirai, which the latter boycotts. Under pressure from Zimbabwe's neighbours, Mugabe agrees to a power-sharing government with the MDC, in which Tsvangirai becomes prime minister in February 2009.

2017: Mugabe out, Mnangagwa in

After 37 years in power, Mugabe, then aged 93, is deposed in November by the army after trying to position his unpopular wife Grace as his successor. He dies two years later in Singapore. Army-backed vice president Emmerson Mnangagwa, nicknamed the "Crocodile" for his political cunning, takes over from Mugabe. He wins elections in July 2018 by a wafer-thin majority. The army kills six people after it is called in to quell demonstrations after the disputed vote.

2019: New crackdown.

Mnangagwa is accused of emulating Mugabe's tactics in January after a brutal military crackdown on nationwide demonstrations over a doubling of fuel prices. At least 17 people are killed and hundreds injured, many from gunshot wounds.

2022: Launch of new opposition

After splits in the largest opposition MDC, Nelson Chamisa launches a new party, the Coalition of Citizens for Change (CCC), ahead of the August 2023 election. Opposition campaigns are hampered through banned meetings and jailing of opponents by the government.

(<https://www.news24.com/news24/africa/news/zimbabwes-post-independence-history-in-10-dates-20230821>).

Introduction and Context

Against the backdrop of African diplomacy, the disputed election in Zimbabwe has raised concerns among the international community. With the formal tone of voice, it is crucial to examine the situation objectively and present the facts without bias. The disputed election, held on [date], has been marred by allegations of vote rigging and irregularities, casting doubt on the legitimacy of the electoral process. As an African nation, Zimbabwe's political stability and democratic values are of immense importance not only to its citizens but also to the continent as a whole. Thus, it is imperative for African leaders to respond diplomatically, engaging in dialogue and mediation to ensure a peaceful resolution that upholds democratic principles and fosters national unity.

The disputed election in Zimbabwe has undoubtedly had significant implications on the perception of African diplomacy in the international arena. To explore this impact, three questions can be posed:

- How has the handling of the disputed election in Zimbabwe affected the credibility of African diplomatic efforts in promoting democracy and good governance within the continent?
- What steps have African leaders taken to address the concerns raised by the disputed election in Zimbabwe, and how have these actions been perceived by the international community?
- How has the international community responded to the disputed election in Zimbabwe, particularly in terms of their

expectations of African diplomacy and its role in mediating the crisis?

Chinamasa utterances, a danger to Zim- Zambia diplomatic relations

In an article written by Nathan Guma for the Newshawks on the 17th of September, he detailed how Chinamasa directly insulted the SADC Observer Mission and the Zambian President. A bid to mend relations with Zambia has faced a further setback after ZANU PF treasurer-general Patrick Chinamasa hurled more insults at the neighboring country's President Hakainde Hichilema and head of the SADC Election Observer Mission Nevers Mumba.

However, the Zambian leader says he will maintain a peaceful course. Zimbabwe's leaders have been on a warpath against Hichilema and his government over the damning SADC report which rejected the outcome of the shambolic recently held polls. In shocking remarks this week, Chinamasa piled more insults on Hichilema and Mumba, a former Zambian vice-president, who led the Southern Africa Development Community Election Observer Mission (SEOM), which for the first time raised gross irregularities in Zimbabwe's polls. "Reverend Dr. Nevers Sikwila Mumba. Who is this man? People who don't know him were ZIMBABWE'S bid to mend relations with Zambia has faced a further setback after ZANU PF treasurer-general Patrick Chinamasa hurled more insults at the neighboring country's President Hakainde Hichilema and head of the SADC Election Observer Mission Nevers Mumba.

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"Reverend Dr. Nevers Sikwila Mumba. Who is this man? People who don't know him were caught completely by surprise by his pronouncements as Head of SEOM (SADC Electoral Observation Mission), purportedly on behalf of the SADC team," Chinamasa said on his official X account. "So unilateral, wayward, unprecedented, and unheard of, blatantly biased, uncouth, un-SADC-like, unashamedly reading from a pro-Citizens' Coalition for Change (CCC) script, outdoing the sanctions-imposing countries in his condemnation of Zimbabwe and governance systems. Personally, I was the least surprised."

Added Chinamasa: "I berate myself for lacking the courage to publicly object to Mumba's appointment as Head of SEOM. I felt then that it was not prudent to cause unnecessary controversy that would mar the smooth management of our Harmonized Elections. I decided to take the path that would not rock the boat." Giving reference to former Zambian president Levi Mwanawasa, Chinamasa said Hichilema would live to regret the regime change agenda which he said President Hichilema was pushing in appointing Mumba as head of the SEOM.

"Like Mwanawasa before him, he will not succeed in his evil intent. He does not know what mettle Zimbabweans are made of. Mumba is a complete disgrace and an embarrassment to the region and the African Continent as a whole," Chinamasa said.

“It was very unwise and unpolitic for President Hichilema as Head of SADC Organ on Politics, Defense, and Security to appoint Mumba, a lackey of imperialism and neocolonialism with a known regime change background (against ZANU PF), to come and observe Zimbabwe’s Harmonized Elections. “President Hichilema did, wittingly or unwittingly through Mumba’s appointment, stoke the fires of Western-inspired regime change in Zimbabwe and will live to regret it.” Added Chinamasa: “Mwanawasa suffered a stroke, and that put an end to the regime change agenda as a SADC-initiated project at the behest of Tony Blair. Rev. Nevers Mumba is making a spirited attempt to take the regime change agenda from where Mwanawasa left it.” His remarks, construed to be death threats on Hichilema, have sparked protests in Zambia, widening the diplomatic chasm that has been growing since he toppled ZANU PF ally Edgar Lungu in an unusual electoral feat that has inspired opposition parties to notch surprise wins in the region. Caught completely by surprise by his pronouncements as Head of SEOM (SADC Electoral Observation Mission), purportedly on behalf of the SADC team,” Chinamasa said on his official X account.

As previously reported by The Newshawks, since Hichilema came to power the Zimbabwean intelligence has been working hard to establish the nature of his relations with Chamisa and whether it involves financial support. (<https://thenewshawks.com/chinamasa-insults-rile-zambians/amp/>).

SADC Role and Upholding Democratic Principles

The Southern African Development Community (SADC) played a crucial role in intervening in the Zimbabwe elections of 2023, exhibiting its commitment to upholding democratic principles and ensuring a fair electoral process in the region. SADC employed various mechanisms to monitor and support the elections, starting with the establishment of an impartial observer mission consisting of regional experts and observers from member states. This mission closely monitored the pre-election preparations, campaigning activities, polling processes, and post-election developments. In addition to the observer mission, SADC also engaged in dialogue with key stakeholders, including political parties, government officials, civil society organizations, and the Zimbabwe Electoral Commission. Through these dialogues, SADC encouraged inclusive participation, promoted transparency and accountability, and addressed any electoral irregularities or disputes that arose. The intervention of SADC demonstrated its commitment to democracy and stability in the region, contributing to a more credible and legitimate electoral outcome.

What are the regional implications of the vote’s results?

Regional integration and development plans have been stymied by Zimbabwe’s economic dysfunction and crumbling infrastructure. Moreover, difficult conditions at home have driven an exodus of Zimbabweans seeking more opportunity, and more than three-quarters of a million of them now live in South Africa, where their legal status has become a hot-button political issue in light of that country’s own unemployment crisis. As former Mozambican President Joaquim Chissano noted earlier this year, Zimbabwe’s crisis “is having terrible consequences for the region as Zimbabwe lies at the heart of southern Africa.”

Despite the spillover effects of the country’s downward spiral, for years SADC largely ignored political repression in Zimbabwe, as neighboring leaders are reluctant to criticize Zimbabwe’s ruling party, which shares liberation movement credentials with many other dominant parties in the region, including South Africa’s

African National Congress. This history makes the pointed SADC statement on the election’s flaws particularly important. The region may be running out of patience with Zimbabwe’s leadership.

In the aftermath of the election, what are the prospects for confronting Zimbabwe’s major challenges, including economic turmoil, political repression, and humanitarian issues?

More of the same governance that brought Zimbabwe to this point will not turn the country’s prospects around. Zimbabwe’s economic crisis is inextricably linked to its governance problems. A small number of elites continue to enjoy lucrative, often illicit, economic opportunities and are disinclined to support reforms that could threaten their interests. Meanwhile, the majority of Zimbabwe’s youthful population struggles with hyperinflation, sparse job opportunities, under-resourced human services, and crumbling infrastructure. A process intended to bring the government and its creditors to an agreement on restructuring Zimbabwe’s \$14 billion in external debt—an essential step toward gaining new support from international financial institutions involves a number of economic and political benchmarks, including a credible election. Similarly, current U.S. legislation prohibits U.S. support for multilateral debt relief or credit for Zimbabwe until the country holds a free and fair election and restores the rule of law.

Zimbabwe’s political instability has made it the target of Western sanctions, and the growing influence of competing powers such as China and Russia have pushed Mnangagwa further from the West. What might a second Mnangagwa term mean for the future of Zimbabwe’s engagement with the U.S., China, and Russia?

Zimbabwe has a long history of close relations with China, although Beijing has been less generous with its economic support to Harare in recent years. Relations with Russia, already warm, have deepened as the two countries position themselves as victims of biased Western sanctions in the wake of Russia’s invasion of Ukraine. Both China and Russia have mining interests in Zimbabwe, which has extensive natural resources, including gold, platinum, and diamonds.

The United States maintains targeted sanctions on specific individuals and entities in Zimbabwe. There are no blanket sanctions against trade and investment in Zimbabwe. But for many Western companies, Zimbabwe is an unattractive place to do business, because corruption and blurred lines between the ruling party, the military, and the state itself have distorted the investment climate. Elections that signaled a new commitment to civil and political rights in Zimbabwe would undoubtedly have been met with enthusiasm in the West, as the targeted sanctions regime has become an irritant in Western relations with other African states, and Zimbabwe’s vast lithium reserves could play an important role in the transition to a green economy. But the process thus far gives U.S. policymakers no reason to believe a more productive bilateral relationship is possible in the near future.

The SADC mission’s mention of structural and systemic challenges reflects a break from the past

Even the historically cautious Southern African Development Community (SADC) Electoral Observation Mission (SEOM) couldn’t ignore the flouting of regulations and SADC principles. Its preliminary report found that the ‘rural vote may be compromised by alleged intimidation attributed to a group called Forever Associates Zimbabwe (FAZ), which is said to be a quasi-security intelligence organisation. It noted that ‘the Patriot Act is incompatible with the spirit of section 61(1) of the Constitution, and paragraph 4.1.2

of the SADC Principles and Guidelines Governing Democratic Elections, which requires Member States to uphold, amongst others, the freedom of expression.' In response, ZANU-PF and the government have mounted a sustained campaign to shut down the SEOM's criticism. The African Union's (AU) report also profiles widespread concerns but doesn't pronounce on them as SADC does.

At the start of vote counting, the government halted independent observation by local civil society organisations (CSOs) when police raided the Zimbabwe Election Support Network and Election Resource Centre data centers, arrested staff and accredited local observers, and confiscated laptops and cellphones. The government says it had intelligence that some organisations intended to illegally announce results based on the CSOs' parallel vote tabulation.

These actions shut down the Zimbabwe Election Support Network's established independent Parallel Voter Tabulation process. Ironically, in the 2018 elections, both ZEC and the government used the parallel tabulations to corroborate the results. Key election observer missions adjudged the polls as falling short of minimum standards. The SEOM's unprecedented report was scathing, identifying a raft of procedural and process deficits at odds with the Zimbabwean constitution, Electoral Act and SADC's Principles and Guidelines for Democratic Elections.

The ruling party's hysterical reaction suggests it deemed the SADC findings serious and damaging

The SADC mission noted ZEC's lack of readiness, even though the commission had declared it was fully prepared. The mission found a lack of transparency around the voters' roll, the contentious delimitation report, skewed access to state media, voter intimidation and deeper structural concerns including the conflation of party and state interests, the manipulation of the judiciary and problematic legislation.

Most of these issues have been recurring items in SADC reports on Zimbabwe's elections in the past two decades. However, the mention of structural and systemic challenges reflects a break from the past, exposing various concerns that opposition and civil society have repeatedly raised. ZANU-PF and the government pushed back, attacking the SEOM report and its team leader, Zambian politician Dr Nevers Mumba. Other observer missions received the same treatment, including a personal attack on the European Union observer mission head. The ruling party's hysterical reaction suggests it deemed the SADC mission's findings serious and damaging.

So, what happens now? What consequences will the observer missions have, and how will the African Development Bank (AfDB)-led debt arrears negotiations resolution process be affected?

It remains to be seen who will buckle first, although ZANU-PF is unlikely to concede any ground. It can rely on SADC's collective management style grounded in comradeship and the primacy of stability rather than confrontation or action. ZANU-PF is also the past master of diplomatic maneuver in the region, as the SADC tribunal case showed. Nevertheless, the country faces a political dilemma, and getting that genie back in the bottle won't be easy.

SADC is unlikely to muster the political consensus and willpower to put Zimbabwe back on the bloc's agenda. Not all member states will be comfortable with SEOM's findings, which could

set an unwelcome precedent that represents a departure from its previous approach.

The regional and international communities will likely seek a conciliatory middle-of-the-road approach.

Meanwhile, several SADC leaders, including the presidents of South Africa, Namibia, Tanzania and Botswana, have congratulated Mnangagwa. So, while SADC probably won't backtrack on its SEOM report, it will park the concerns rather than elevate them to a rejection of the election result.

The SADC Panel of Elders' visit to Zimbabwe is unlikely to change this scenario. The initiative has been shrouded in confusion, with no clarity on its goals and mandate, or if SADC might retain a formal brief on Zimbabwe. The EU mission and Carter Center report largely resonate with the SEOM report. But given the current AfDB-led debt resolution process, the international community and the AU are unlikely to escalate the election issue further. Comments by former Mozambican president Joaquim Chissano, who is in Zimbabwe on an AfDB mandate, are important. Chissano indirectly endorsed a ZANU-PF victory, and seemingly referred to the governance pillar of the AfDB process when he said the next administration must tackle electoral reform.

The regional and international communities will likely seek a conciliatory middle-of-the-road approach under the guise of constructive engagement. Creditors seek the Zimbabwean government's commitment to stay engaged in the AfDB process, with its three pillars of governance, economic reforms and land reform. Geopolitical imperatives and sheer fatigue with the Zimbabwean issue among Western creditors will shape their debt resolution efforts. They will have to live with the unsettling reality that the Mnangagwa administration is not a partner you can do business with and expect to act in good faith.

Brief Summary of the Missions main Criticisms and Recommendations

The Mission made the following criticisms of the elections:

- The delimitation of constituencies, the Mission suggested, was flawed in that constituencies varied by more than the 20 per cent permitted by section 161(6) of the Constitution.
- The Zimbabwe Electoral Commission [ZEC] failed to make voters rolls available in good time to contesting parties, violating section 21 of the Electoral Act and the constitutional requirement that elections be transparent and fair.
- There were reports that opposition CCC meetings were unreasonably cancelled by the Police.
- The "Patriotic Act" amendment to the Criminal Law (Codification and Reform) Act was incompatible with section 61(1) of the Constitution and paragraph 4.1.2 of the SADC Principles and Guidelines.
- High nomination fees may have discouraged less well-off people, including women, from standing as candidates, in violation of paragraph 4.1.7 of the SADC Principles and Guidelines.
- State media – press and broadcasting – favored one political party over the others, contrary to the Constitution, the Electoral Act and the SADC Principles and Guidelines.

The Mission made the following recommendations:

- ZEC was advised to abide strictly by the Constitution on transparency and access to information, and to avail the voters roll in accordance with the Electoral Act.
- Laws requiring State-owned media to be impartial should

be implemented.

- ZEC was advised to revise the nomination fees.
- ZEC was urged to strengthen transparency in the procurement and distribution of voting materials.
- Measures to enhance the participation of women as candidates should be put in place quickly by the next Parliament.

All these criticisms and recommendations fall well within the Mission's mandate which we outlined earlier.

Voting in Zimbabwe general election delayed by lack of ballot papers

Most urban polling stations in Harare and Bulawayo, where opposition claims it has strong support, open four hours late delays have marred voting in Zimbabwe's general election after a campaign dominated by the country's interlinked economic crises. Voting at most urban polling stations in Harare and Bulawayo began four hours late after polling officers failed to distribute papers for the council elections. Some polling stations were still to receive election material more than seven hours after polls opened. Zimbabweans are electing a president, legislators and local authorities in an in a contest in which the incumbent president, Emmerson Mnangagwa, is seeking a second term.

Voters expressed their frustration at the delays, saying the Zimbabwe Electoral Commission (ZEC) had failed in its management role. Delays have marred voting in Zimbabwe's general election after a campaign dominated by the country's interlinked economic crises. Voting at most urban polling stations in Harare and Bulawayo began four hours late after polling officers failed to distribute papers for the council elections. Some polling stations were still to receive election material more than seven hours after polls opened. Zimbabweans are electing a president, legislators and local authorities in an in a contest in which the incumbent president, Emmerson Mnangagwa, is seeking a second term. Voters expressed their frustration at the delays, saying the Zimbabwe Electoral Commission (ZEC) had failed in its management role.

Zimbabwe has a history of disputed elections since its independence from the UK in 1980. Human rights groups said in the run-up to Wednesday's vote that the same factors that blighted previous elections – voter roll irregularities, public media bias and the use of law enforcement and the courts to hamstring opposition campaigns – remained. (Nyasha Chingono in Harare Wed 23 Aug 2023 19.41).

Pre-Election Violence

Tinashe Chitsunge, a CCC activist was reportedly stoned to death by ZANU-PF activists in Glen View South, Harare, in the afternoon of 3 August 2023. He was reportedly attacked while trying to flee from a suspected ZANU-PF mob, which was assailing opposition activists who had gathered to hold a rally. "The fatal attack on Tinashe Chitsunge, a CCC activist, paints a grim picture of the human rights environment in Zimbabwe ahead of general elections scheduled for 23 August 2023. Such callous acts of violence, which have repeatedly marred Zimbabwe's political landscape, gravely threaten the rights to freedom of expression, association, and peaceful assembly. The fatal attack on Tinashe Chitsunge, a CCC activist, paints a grim picture of the human rights environment in Zimbabwe ahead of general elections scheduled for 23 August 2023. (Khanyo Farisè, Deputy Regional Director, Southern Africa). "Authorities must take all necessary steps to prevent acts of politically motivated violence and refrain from issuing inflammatory statements that could incite

similar attacks or deter people from freely exercising their human rights and expressing support to political parties of their choice".

ZESN's Presidential Results Projection from Sample-Based Observation

The Sample-Based Observation (SBO) Project is an initiative of the Zimbabwe Election Support Network (ZESN), the largest local observer group in Zimbabwe. ZESN is a coalition of 36 Non-Governmental Organizations formed in 2000 to coordinate activities pertaining to elections. Its major focus is on the promotion of democratic processes and free and fair elections in Zimbabwe. The organisation is strictly nonpartisan. ZESN observes elections so that citizens can exercise their fundamental right to vote and to provide independent non-partisan information on the conduct of elections to citizens, political contestants and the Zimbabwe Electoral Commission (ZEC). All of ZESN's activities are in accordance with the Declaration of Global Principles for Citizen Election Observation and Monitoring, the laws of Zimbabwe and, in particular, the ZEC's Code of Conduct.

ZESN closely monitored the pre-election period in accordance with its electoral cycle approach to the observation of electoral processes in Zimbabwe. As such, 210 long term observers were deployed in the run up to the harmonized election to observe and report on the pre-election environment. In addition, ZESN also conducted an audit of the voters roll.

As part of its comprehensive effort to observe the 2018 harmonized Elections, ZESN trained and deployed over 6,500 observers to every ward, constituency, district and province of the country. Out of these, 750 were Sample-Based Observation observers. The SBO is an advanced Election Day observation methodology which allows ZESN to confidently comment on the voting and results tabulation processes, including an independent verification of the Presidential results as announced by the ZEC. SBOs have contributed to systematic election observation efforts around the world and in 12 countries in Africa such as Cote d'Ivoire (2016), Malawi (2009 and 2014), Zambia (2008, 2011, 2015 and 2016), Ghana (2008, 2012 and 2016), Uganda (2011), and Nigeria (2011, 2012 and 2015). In all cases the SBO accurately projected the vote tabulation outcomes including presidential results.

SBO observers were deployed to a nationally representative sample of polling stations throughout the country. This random sample was representative in terms of the geography of the country, the distribution of polling stations and the distribution of registered voters across Zimbabwe. SBO observers witnessed the entire voting and counting process at sampled polling stations and recorded the official result as announced by the polling officials. By 12 noon 31 July, ZESN had received reports from all 750 sampled polling stations and had verified and analyzed their data; therefore, this report is based on a 100% response rate. (Zimbabwe Election Support Network (ZESN)

SADC: After Zim's chaotic elections, Zambia's Hichilema leads where South Africa fails

Zimbabwe's 2023 election has brought to the fore political fault lines in the SADC. Zambia led by Haikande Hichilema is ushering in a new democratic wave, while the liberation parties of ANC, Zanu-PF, Swapo, CCM and Frelimo are holding onto power with a vice grip. (Manjonjo,2023).

The History of Regionalism in Southern Africa: From SADCC to SADC

The Southern African Development Coordination Conference

(SADCC) was launched in April 1980 in Lusaka, Zambia, with the aim of reducing the sub-region's economic dependence on South Africa, and thus supporting the struggle for democratic majority rule in the apartheid state. The founding nine members of SADCC comprised the Frontline States (FLS) – Angola, Botswana, Lesotho, Mozambique, Swaziland, Tanzania, Zambia, and Zimbabwe – as well as Malawi. The new conference was driven not by legal instruments but by solidarity, particularly among the former liberation movements that now led the governments in most of the conference's nine founding states – which, significantly, included Zimbabwe, although this country only achieved independence later in the same month that SADCC was launched. The decentralized bureaucracy of the new conference gave responsibility to independent states to implement its common aims to promote inter-state economic and infrastructure projects, mobilise resources for development, and secure international understanding of, and support for, the group's goals. The issue of reducing economic dependence on South Africa was perhaps most critical for Botswana, Lesotho, and Swaziland, which had all been in a customs union with South Africa since 1910, and had belonged to the Southern African Customs Union since 1969 [1].

In August 1992, the Southern African sub-regional body expanded to include Namibia, which had freed itself from South African rule and claimed independence two years earlier in 1990 (when it also became the fifth member of SACU). In the same month, SADCC changed its name to the Southern African Development Community and transformed into a treaty-based organisation that formally adopted a range of shared values including the pursuit of integrated development in the sub-region. SADC recognized the need for peace and stability, “good governance”, the building of regional institutions to support these goals, and the importance of broadening the sub regional body's popular base.³ South Africa joined the Community two years later, after its first democratic election in 1994 brought institutionalized apartheid to an end, and led to the official dissolution of the Frontline States.

Many contradictions arose during SADC's transition from a conference to a community. Under a new “Towards a Common Future” slogan, the body sought to promote the pooling of regional resources to address development problems that some individual countries lacked the capacity to resolve on their own – an approach that has subsequently become a development paradigm in Africa and beyond. However, some inherited models of integrated infrastructure and services, which had been created under the previous system of relatively ad hoc bi- or multi-national sectoral coordination, suffered as a result. For example, existing transnational institutions and agreements for energy production and supply (between Zambia and Zimbabwe), railway transport (among Botswana, Zambia, and Zimbabwe), and university education (among Botswana, Lesotho, and Swaziland) were dismantled while simultaneously trying to build new sub-regional projects in these sectors. Nevertheless, key new sub-regional projects have built trans-national capacities and policy – for example, the Southern African Power Pool which was created in 1995 to bring together national electricity utilities, and SADC's Committee of Central Bank Governors (CCBG) which was established in the same year sue policies that enhance macroeconomic stability and development in the sub-region. Institutional capacity and sufficient resources are key to the implementation of Southern Africa's integrated development agenda.

SADC, however, lacks bureaucratic capacity and should therefore adopt a decentralized approach that seeks to mobilise sectoral projects and harnesses their institutional capacity to long-term

region-building. South Africa faces many of the socio-economic issues experienced by its neighbours, including the challenges of alleviating poverty, and providing basic services and adequate housing. These domestic issues can constrain Tshwane's ability to support regional development. However, although expectations that South Africa can solve sub-regional problems on its own are unrealistic, the country has much to offer Southern Africa in terms of its technical capacity. Tshwane has been positive in promoting bilateral and multilateral relations with other Southern African governments that support regional development. However, the post-apartheid government's intentions do not always reflect events in the sub-region in terms of bilateral trade and the actions of large South African companies, whose ways of doing business have often led to charges of mercantilist behavior. In this respect, South Africa often operates more as a supplier of goods and services to, rather than an export market for, its neighbours, although the lack of productive capacity of these neighbours is also an issue [2].

A team of individuals and countries that can drive regional integration in SADC is needed to provide leadership within Southern Africa as well as coordination between the sub-region and external actors on key economic and security issues. Effective regional leadership is predicated on qualitative rather than quantitative criteria. The sub-regional body was previously led by Tanzania's Julius Nyerere. Subsequently, after 1980, newly liberated Zimbabwe, under Robert Mugabe, fostered close people-to-people ties with Angola, Mozambique, and Zambia, and maintained friendly relations with Tanzania, Lesotho, and Swaziland. The sense of sub-regional political cohesion provided by Harare enabled it to act as a leader for Southern Africa.

The inclusion of South Africa in SADC in 1994 marked a major transformation of the organisation.⁴ However, the sub-regional body was not fully prepared for South Africa's entry. Subsequently, Tshwane's ability to provide effective leadership and strengthen inter-govern mentalism in Southern Africa has been weakened by a range of legacies. SADCC's minimalist integration agenda confirmed the inviolate sovereignty of member states. The continuing prevalence of some autocratic regimes also stymied the adoption of common political values across the sub-region, and resulted in non-compliance with sub-regional norms, weakening Southern African institutions and stalling the process of “developmental regionalism”.

Furthermore, the sense of a shared Southern African identity has been undermined by a relatively unchecked multiplication of members – in particular, the inclusion of the DRC and Madagascar as members of SADC in 1997 and 2005, respectively – although the enlarged membership has brought the benefits of more diversified trade, such as that between the DRC and South Africa. SADC currently constitutes 15-member states: Angola, Botswana, the DRC, Lesotho, Madagascar (which has been suspended from the bloc since March 2009), Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe. The legacy of which countries actually belong to the organisation continues to haunt the sub-region, with multiple memberships of more than one sub-regional bloc presenting a particular challenge [2].

Zimbabwe: Private Voluntary Organisations Amendment Bill poses serious threats to freedom of association.

The Zimbabwean Parliament is discussing an amendment of the Private Voluntary Organisation (PVO) Act that seriously threatens

the right to freedom of association in the country. The Observatory for the Protection of Human Rights Defenders (OMCT-FIDH) and Citizens in Action Southern Africa (CIASA) express their deep concern over the negative impact this amendment will have on civic space and strongly condemn the intimidation of human rights defenders opposing it. The Observatory and CIASA urge the Zimbabwean authorities to withdraw the amendment and to refrain from attacking or intimidating all rights defenders.

The Private Voluntary Organizations (PVO) Amendment Bill, H.B. 10, 2021, on the organisation of associations, which recently was subjected to community-based public hearings across the country, exposes the intention of the Zimbabwean government to provide itself with legal tools to control and ultimately silence civil society.

Should it be adopted, the amended law would provide the government with wide powers to interfere in civil society organisations' governance and activities. First, PVOs would need the government's permission for any "material change" in the organisations, including changes to internal management and funding. Moreover, the government would have the power to designate any PVO as "high risk" or "vulnerable" to terrorism abuse. That would allow them to revoke their registration or even to replace their leadership. Additionally, the new bill would include harsh penalties, including imprisonment, for administrative offences related to the registration of PVOs. Finally, the bill contains provisions that allow for the banning of civil society organisations from "engaging in political activities", a broad and vague concept that could include legitimate human rights activities.

The Observatory underlines that the public hearings on the amendment of the PVO Act were systematically targeted and disrupted by suspected ruling party militants, who verbally abused and in other cases violently assaulted anyone raising concerns about the content of the new law amid the acquiescence of the police forces. On March 1, 2022, in the city of Masvingo, ruling party militants heckled and physically attacked participants raising their voices against the bill. Among those attacked were CIASA members Messrs. Spencer Mutambaneshiri, Alan Moyo and Ms. Priscilla Mafa who were verbally abused, threatened and beaten. Participation in the online hearings taking place at the same time were also obstructed by the increase in the Internet connection prices enacted by the state-controlled provider [3]

The curious case of Zim sanctions

Zimbabwe's inability to borrow from financial institutions has more to do with bad debt than sanctions

Institute for Security Studies research in 2019 and 2020 found that investors were put off by the high-risk premium placed on the country because of the targeted US sanctions. And numerous international banks have cut ties with Zimbabwean banks because of the onerous task of complying with US Office of Foreign Assets Control (OFAC) regulations. OFAC monitors sanctions adherence and penalizes any US company or individual who does business with a sanctioned individual, entity or country.

Most companies in the US, Canada and Europe would rather avoid doing business with Zimbabwean companies because of the cumbersome process of checking if entities are related to a sanctioned person or company. The risk of being caught on the wrong side by OFAC is high. Many companies in Zimbabwe have gone under or are operating at a suboptimal level – unable to procure goods and services from Europe, Canada, Australia, the US and UK.

The listing of companies such as Chemplex Holdings and Zimbabwe Fertilizer Company harmed food production as it affected the availability and affordability of fertilizer. The businesses were added because their ownership structure included the Industrial Development Corporation of Zimbabwe – an entity under sanctions. All this affects ordinary citizens, not least because some international financial institutions won't process transactions involving Zimbabwe.

However, to blame all Zimbabwe's economic ills on sanctions is disingenuous and untrue. The country's inability to borrow money from international financial institutions has more to do with bad debt than sanctions. By 2000, way before the sanctions, the World Bank had suspended lending to Zimbabwe. In 2001, after multiple defaults, the International Monetary Fund (IMF) declared the country ineligible to access its resources. A few years later, the IMF started procedures for compulsory withdrawal from Zimbabwe.

Sanctions have largely failed to improve democratic behavior among Zimbabwe's ruling elites

But are the targeted sanctions having their intended effect? Although President Emmerson Mnangagwa's administration has made inroads on protecting property rights, sanctions have largely failed to improve democratic behavior among the ruling elites. Human rights violations persist, and political freedoms have been severely curtailed. In September one of Zimbabwe's foremost prolific writers, Tsitsi Dangarembga, was convicted of 'inciting' public violence after being arrested for simply holding a placard stating 'We want better. Reform our institutions.'

The political and electoral playing field also remains deeply flawed. The road to the 2023 elections is already littered with violence as the ruling party makes good on its threats to silence the opposition.

What can be done? While targeted sanctions have helped maintain pressure on the Zimbabwean government, a different approach that involves SADC and the AU is required.

Currently, the AU imposes sanctions on regimes that came to power through coups but does little to prevent situations that lead to coups or unconstitutional changes of government. The continental body should consider sanctions to prevent violations of human rights and electoral processes, and actions that stifle democracy. This wouldn't mean lifting the current sanctions against Zimbabwe. Rather, complementary processes are needed that encourage behavior change and enable the US, EU and UK to lift sanctions eventually. This could be via the African Peer Review Mechanism or SADC's troika of three states responsible for regional peace and security. Given the principle of subsidiarity that gives regions the first bite at the cherry, SADC rather than the AU is the crucial player in this case. What is not an option is the unconditional lifting of sanctions without concessions from the Zimbabwean government or an AU/SADC initiative to guarantee the protection of human rights. (ISS Pretoria).

ANC's anti-West Mbalula openly backs ruling party in Zimbabwe election

That South Africa supports President Emmerson Mnangagwa's reelection was cemented last month when ANC secretary-general Fikile Mbalula tore into Chamisa at a ruling party conference in Cape Town. Even after Mnangagwa overthrew Robert Mugabe in 2017, Mbalula said, Western powers, especially the United States, remained insatiable. "[Until] they get their puppet in power, they will never be satisfied," he said. "Mnangagwa brought some reforms, but they did not want those reforms because they

want a man called Chamisa. They want him to be the leader of a new Zimbabwe. “The American modus operandi is simple, Mbalula said: apply trade sanctions on Zimbabwe, cause hunger and joblessness until the country’s citizens revolt and vote out Zanu-PF. Mbalula has yet to release any evidence that Chamisa is being funded by or taking instructions from the Joe Biden administration in the US.

Ties that Bind

The relationship between the ANC and ZANU-PF dates back to South Africa’s struggle against apartheid. The liberation parties of both countries continued their relationship by supporting each other to stay in power. Electoral observer missions from the South Africa-led Southern Africa Development Community have rubber-stamped Zimbabwe’s elections since 2000 despite crude displays of intimidation, underscoring the two parties’ collaboration. [4-20]

South Africa is the reason Zimbabwe still breathes today as an economy

Former South African president Thabo Mbeki’s lack of concern during Zimbabwe’s bloody 2008 elections help explain why Zimbabweans do not trust the ANC or the SADC, says Washington Mazorodze, a lecturer at the University of Zimbabwe in the department of peace, security and society. The following year, South Africa helped broker a power-sharing agreement between Mugabe’s ZANU-PF and the opposition Movement for Democratic Change led by Morgan Tsvangirai. “Mbeki said that there is no crisis in Zimbabwe when there was a political and economic disaster,” Mazorodze tells *The Africa Report*.

Conclusion

The SADC Electoral Observation Mission was well within its mandate in assessing and criticizing Zimbabwe’s electoral laws and in recommending reforms. If government spokespersons do not like those criticisms and recommendations, they are entitled to say so and to rebut them if they can; but if they have any knowledge of or respect for our country’s obligations under the SADC Treaty, they should not claim that the Mission exceeded its mandate.

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