

Conflict Prevention and Risk Analysis (CPRA) –Pretoria



CPRA Daily Briefings

Week 31

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The **CPRA Daily Briefings** are held weekday mornings in the CPRA Pretoria's Situation Room and the Briefing Notes are the minutes of this meeting during which each regional expert of the Programme reports on the latest human security developments in his/her region, followed by general discussions around the table. An intern then compiles a summary of the meeting, which is reviewed by the respective researchers, and a senior researcher edits the report and provides quality control before returning it to the intern to prepare it for dispatch to the mailing list to which you have subscribed.

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**Today's Briefings
Compilation**
Ms Naomi Kok

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Summary of Briefings

Southern Africa

Zimbabwe: another stalemate in the constitution-drafting process

In September 2008, President Robert Mugabe's Zimbabwe Africa National Union-Patriotic Front (ZANU-PF) party and the two formations of the Movement for Democratic Change came to a power-sharing agreement under the mediation of the Southern African Development Community (SADC). One of the provisions of the Global Political Agreement (GPA) was that Zimbabwe had to adopt a new constitution before holding new elections. On Wednesday, South African President Jacob Zuma, who is heading the SADC mediation process, urged the rival political parties in Zimbabwe to finalise the constitution-drafting process, which is almost two years overdue, by agreeing on the latest draft. However, President Mugabe has made it clear that his party will not be pushed into accepting the proposed constitution without the amendments it has demanded.

According to President Zuma only minor hitches remain. In the past President Mugabe has threatened to call for President Zuma to be replaced in the mediation process after his insistence that Zimbabwe adheres to the provisions of the GPA and completes its constitution-drafting process before holding elections. Now it seems that President Zuma is satisfied with the progress that Zimbabwe has made and he has reportedly called upon the parties to finalise the process, subject it to a referendum and implement an agreed roadmap to elections that are expected by June 2013.

The two MDC formations have said that while they are not entirely pleased with the draft constitution, it is as good as can be hoped for, given that it is the product of much negotiation and compromise.

Besides adopting a new constitution, Zimbabwe still faces a number of other challenges in terms of adhering to the GPA. The Zimbabwean voters' roll, for one, is still in a shambles. Also, the issue of how the diaspora vote will be accommodated must be resolved.

South Africa has been rather quiet on other political developments in the region, such as the upcoming elections in Angola, which will be conducted in a political environment widely perceived as being unevenly in favour of the ruling Movement for the Liberation of Angola (MPLA). Some see this as symptomatic of Pretoria's indebtedness to regional governments for backing South African Home Affairs Minister *Nkosazana Dlamini-Zuma's successful bid to head the African Union (AU) Commission*. Meanwhile, the recently established SADC Electoral Advisory Council (SEAC) does not have the power to actually enforce good electoral practices and can only serve in an advisory capacity. The SEAC has not been very vocal about the elections in Angola, and it is questionable whether it will have much impact on the Zimbabwean elections. According to the SEAC mandate, monitors are to be deployed 15 days before election day. In the case of Zimbabwe, monitoring teams are clearly needed for the preparation and campaign period as well to assess the political situation to prevent characteristic violence and intimidation.

There are three possible scenarios resulting from Zimbabwe's having elections in 2013. Firstly, if ZANU-PF wins, most likely by a small margin, many post-electoral problems could be avoided considering that it was ZANU-PF militants who started waging violent campaigns after the contested outcome of the 2008 elections. Secondly, should MDC-T, led by Prime Minister Morgan Tsvangirai, win, SADC and the AU may have to guarantee a peaceful transfer of political power. Lastly, if neither party wins the number votes necessary for a clear victory, the country may see

a repeat of the 2008 process. In this case there may be new power-sharing agreements, and a new SADC mediation process. If this happens Zimbabwe would not have made any political progress at all, and it is thus a highly undesirable outcome.

It is also possible that the country may witness major voter apathy, similar to what was seen in the recent Algerian elections. The level of participation will be a good indication of how legitimate the democratic process is in the eyes of the Zimbabwean people.

SADC doesn't have a vibrant early warning mechanism. The existing mechanism only provides for natural disasters, and is not geared to political early warning. Upon SADC's insistence, the electoral process may go more smoothly than in the past, but Zimbabwe is not out of the woods yet, and another political crisis may be on the horizon.

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