

Zimbabwe: Political and Security Challenges to the Transition

I. OVERVIEW

As Zimbabwe enters its second year under a unity government, the challenges to democratic transformation have come into sharp focus. Despite reasonable progress in restoring political and social stability, ending widespread repression and stabilising the economy since February 2009, major threats could still derail the reform process. In particular, resistance of intransigent and still powerful security sector leaders and fractious in-fighting between and within the Zimbabwe African National Union (ZANU-PF) and the Movement for Democratic Change (MDC) must be addressed now. South Africa and other countries in southern Africa – who monitor the accord that guides the transition – must press the parties, and particularly President Robert Mugabe, to see the transition through to a successful conclusion. Donors should back their efforts.

The unity government, created under the Global Political Agreement (GPA) signed by Mugabe and MDC factional leaders Morgan Tsvangirai and Arthur Mutambara, was born under a cloud of scepticism. Most observers gave it little chance, predicting that, even as prime minister, Tsvangirai would fall prey to Mugabe's "divide, rule, co-opt and destroy" strategy. Against the odds, the government started well: schools and hospitals re-opened; civil servants were paid and returned to work; the Zimbabwe dollar was shelved; goods returned to store shelves; and a cholera epidemic was controlled. Human rights activists reported a significant drop in abuses. Donors generally received well an ambitious yet pragmatic reconstruction program calling for \$8.5 billion in foreign aid and investment.

But major concerns undermining the transition process have come to the fore. Hardline generals and other Mugabe loyalists in ZANU-PF are refusing to implement the government's decisions, boycotting the new national security organ and showing public disdain for Tsvangirai. Farm seizures have continued virtually unabated. Most attention has focused on completing the GPA, but ZANU-PF has delayed or ignored important commitments in that document, while stalling constitutional reforms by insisting on preserving broad executive privileges. Key blocked steps include a land audit, appointment of MDC governors, an end of arbitrary detentions and arrests,

regular functioning of the National Security Council in place of the infamous Joint Operations Command, public consultations on a new constitution and preparation for elections.

These delays reflect the two deeper challenges on which this briefing concentrates. First, a mature political system must develop, so that ZANU-PF and MDC engage as both competitors in the political arena and partners in the inclusive government. This will be difficult, especially under the divisive Mugabe, but other ZANU-PF leaders, including the factions led by Vice President Joice Mujuru, and Defence Minister Emmerson Mnangagwa, know that their party has lost much popular support and needs a generational shift. For its part, the MDC must keep faith and engaged with its broad following in the transition process, including trade unions, human rights groups and women's organisations. It must also show the country as a whole that it is a viable custodian of the state – competent, transparent, and capable of preserving social change since independence.

Equally challenging are security issues. A relatively small number of "securocrats" use their positions and symbiotic relationship with Mugabe to exercise veto power over the transition. They are motivated by differing factors: fear of losing power and its financial benefits, fear of prosecution for political or financial abuses, and a belief that they guard the liberation heritage against Tsvangirai and the MDC, which they view as fronts for white and Western interests. Zimbabweans across the political spectrum are quietly considering how to ease these officers into retirement, even at the cost of allowing them to keep their assets and providing them a degree of impunity from domestic prosecution, while simultaneously professionalising security forces respectful of human rights and a democratically elected government.

While the primary tasks ahead rest with Zimbabweans, the Southern African Development Community (SADC) must take seriously its GPA guarantor role. South African President Jacob Zuma's activism as mediator must convey the message that the region will abide no alternative to the GPA. His recent actions, including appointment of three respected advisers to oversee the Zimbabwe account, are welcome indications he will be tougher vis-à-vis Mugabe on GPA obligations and respect for rule of law.

The broader international community, especially the UK, U.S., EU and China, should support and complement SADC's efforts through careful calibration of trade, aid, and investment to encourage progress; maintenance of targeted sanctions on those thwarting the transition; and lifting of sanctions on entities key to economic recovery. Donors should provide new recovery and development assistance – including for rural development, health and education and strengthening of the judiciary, legislature and civil society – through transparent mechanisms, such as the Multi-Donor Trust Fund.

This briefing focuses on political party and security issues, as well as South Africa's mediation. Subsequent reporting will analyse other topics vital to the transition, including constitutional and legal reform, justice and reconciliation, sanctions policies and security sector reform.

II. THE INCLUSIVE GOVERNMENT'S MIXED RECORD

Ten months after the violent and disputed 29 March 2008 elections that led to political stalemate with the long-time ruling ZANU-PF party of President Mugabe, Morgan Tsvangirai's wing of the opposition Movement for Democratic Change (MDC-T) announced it would enter the government alongside ZANU-PF and the splinter MDC-Mutambara (MDC-M) faction. This followed an extraordinary summit of the Southern Africa Development Community (SADC) on 26 January 2009, whose final communiqué called for Tsvangirai to be sworn in as the prime minister by 11 February and the remainder of the government two days later.¹

The unity government was formed under the auspices of the Global Political Agreement (GPA), which had been hammered out with SADC assistance during lengthy negotiations. The GPA spelled out a specific continuing role for the regional mediators in monitoring and supporting its implementation. This was especially important, since most observers believed that the agreement was essentially unworkable, having established two centres of power within a single government but leaving most real political and military authority with Mugabe, his party and the hardline security establishment.² Many

considered that the African Union (AU), SADC, and the primary mediator, the then South African President Thabo Mbeki, had been too accommodating and respectful of Mugabe during the negotiation process. Additional concerns emerged after the GPA was signed, as Mugabe was allowed to ignore deadlines and otherwise repeatedly undermined the agreement without consequence.

Now into its second year, however, the inclusive government is making discernible, if slow and painful progress in a number of areas, bringing a degree of stability and predictability to a country that twelve months earlier was on the brink of collapse. Most notably, schools and hospitals have reopened, multi-million per cent inflation has come down to single digits, government revenue has begun to pick up and shops are fully stocked with food and other commodities.

Key Western donors have been slow to embrace the new government largely because of its failure to fully implement the GPA and their continuing antipathy toward Mugabe. For much of 2009, donors provided welcome expansion of humanitarian assistance, but generally adopted a wait-and-see posture on longer-term financial support for recovery and reconstruction. This risked thwarting the very changes the international community is seeking, both by weakening the hand of relative moderates in ZANU-PF and more generally by undercutting popular support for the reform process. More recently, the U.S., UK and European Union (EU), among others, have expanded the definition of "humanitarian assistance" to cover many important social and economic sectors, such as agriculture, health, sanitation and education.

A. ECONOMIC REFORMS

Rebuilding a devastated economy with a 90 per cent unemployment rate is a daunting challenge for the inclusive government. Finance Minister Tendai Biti has won praise for his steps to restore a degree of confidence and fiscal stability, but the prospects for rapid recovery are weak, not least because the fragile inclusive government and incomplete GPA have caused investors to shy away. Recently, government workers have gone on strike to demand a pay increase beyond the \$160 monthly stipend they are generally now receiving, which they point out is insufficient to cover even basic costs of living in Harare and other urban centres.

Nevertheless, there are some signs of recovery. GDP grew 4.7 per cent in 2009, the first positive totals in a decade. The 2010 budget aims for 7 per cent GDP growth,

¹"Communique Extraordinary Summit of the SADC Heads of State", 27 January 2009. On 11 February 2009, Tsvangirai became prime minister and Mutambara and Thokozani Khupe (MDC-T vice president) became deputy prime ministers under the terms of the GPA.

²The Global Political Agreement (GPA), which gave birth to the formation of the inclusive government, was signed on 15

September 2008. See Crisis Group Africa Briefing N°59, *Engaging the Inclusive Government*, April 2009.

underpinned by 10 per cent growth in agriculture, as was already achieved the previous year, and 40 per cent growth in mining. Since the Zimbabwe dollar was suspended and the U.S. dollar and South African rand adopted as legal tender, inflation has fallen from an official 231 million per cent in July 2008 to a 6 per cent average in 2009 and is forecast at 5.1 per cent in 2010.³ The International Monetary Fund extended \$510 million to Zimbabwe as its share under an expansion of the Special Drawing Rights (SDR) facility that was authorised as a response to the global economic crisis. This has been earmarked for debt clearance, support of the budget and productive sectors, and water and sanitation, health and education needs.⁴

The improved economy and donor pledges to cover half the \$718 million required to cope with disease and hunger have been reflected in a lessening of the formerly dire humanitarian situation. Cholera, which had become rampant in late 2008, was brought under control in 2009, but there are warnings of a potentially new serious outbreak during the current rainy season.

B. POLITICAL REFORMS

Ultimately, the economy cannot be restored to health through technical measures alone. The political reforms envisaged in the GPA are needed. Helped by the regional re-engagement that resulted from the SADC Maputo summit in November 2009, there has been some gradual progress on implementation since the MDC-T briefly suspended participation in the unity government the previous month to protest ZANU-PF's intransigence in discussions to move forward on GPA requirements.

Independent commissions have now been formed to address media, human rights and election issues.⁵ Notwithstanding statements to the contrary by senior ZANU-PF officials, a land audit may soon begin that would not just be a survey but rather an attempt to lay the groundwork for addressing this most sensitive reform area, including multiple farm ownership, production by new farmers, compensation for former white commercial farmers and an end to farm invasions. Arbitrary and politically motivated detentions and arrests have declined, though they have not ceased entirely, and the repressive Public Order Security and Access to Information and Protection of Privacy Acts (POSA and AIPPA) remain on the books.

The challenges of completing the GPA, crafting a new constitution and moving toward elections could yet cause the inclusive government to collapse. A number of issues are still outstanding in the protracted negotiations over GPA implementation. Indeed, the six on the original agenda have ballooned to 27, as the MDC-T, MDC-M and ZANU-PF have brought in additional topics they considered had either been overlooked when the mediation began or had gained prominence during the course of the negotiations.

The negotiators have agreed to postpone to the end the especially contentious appointment of MDC-T's Roy Bennett as deputy agriculture minister as well as the status of Mugabe stalwarts, Reserve Bank Governor Gideon Gono and Attorney General Johannes Tomana, whom the MDC believe were re-appointed to their positions unilaterally by Mugabe in violation of GPA provisions requiring consultations. Agreement has been reached on sharing provincial governors, though the dates of their appointments have not yet been determined.⁶ How the new National Security Council (NSC) is to function as a successor to the infamous Joint Operations Command (JOC) is still sharply contested.

Controversial matters introduced by the MDC-T and remaining open include security sector reform and compliance with the National Security Act, a framework for government operations (including procedures for chairing of the cabinet when the president is not present) and rule of law topics such as freedom of assembly and association.⁷ ZANU-PF has put forward for consideration such issues as removal of sanctions, donor-funded parallel government structures, the role and funding of non-governmental organisations, selective funding of ministries and other entities by donors and the functions of the Multi-Donor Trust Fund, a basket fund coordinated by the international community to support the inclusive government.⁸

The constitutional reform outreach program intended to lead to a new constitution kicked off on 7 January 2010 but needs greater impetus.⁹ There is a growing recognition that this process cannot be the exclusive preserve of government and legislative committees, but rather must be a national exercise with full participation of civil society groups. This is especially essential for the MDC, since there are concerns that the party is losing contact

³Zimbabwe Budget Statement 2010, 16 October 2009.

⁴"Biti allocates IMF U.S. \$510 Million to Fiscus, Productive Sector", *The Herald*, 30 September 2009.

⁵"Principals agree on Commission", *The Herald*, 11 December 2009. Commission memberships were announced four days later.

⁶Crisis Group interview, ZANU-PF lead negotiator and Justice Minister Patrick Chinamasa, Harare, 4 January 2010.

⁷Crisis Group interview, member, MDC-T National Executive Council, Harare, 6 January 2010.

⁸Crisis Group interview, ZANU-PF lead negotiator and Justice Minister Patrick Chinamasa, Harare, 4 January 2010.

⁹"Constitutional outreach kick off", *The Zimbabwe Standard*, 10 January 2010.

with its popular base. Civil society activists and unions have complained, however, that the process is being driven by political elites for their own purposes, and some have even called for the international community to withdraw support for the transition until a credible consultation process has been adopted.¹⁰

It is positive, nevertheless, that there is increasing acceptance across the political divide that the “Kariba Draft” – agreed by the inclusive government’s three parties under Mbeki’s mediation – cannot be the only reference for the new constitution, since it incorporates a number of potentially anti-democratic principles, most notably further enhancement of executive powers at the expense of legislative or judicial authority.

While many political figures believe a broadly acceptable compromise draft is likely by the end of the year,¹¹ sharp differences remain between the parties. A blueprint written by ZANU-PF strategists linked to the hardline camp around Emmerson Mnangagwa suggests that the party remains committed to an all-powerful presidency.¹² While the 41-page document – a comparative analysis of ZANU-PF and MDC-T constitutional positions – gives an insight into the long-time ruling party’s intention to preserve an authoritarian centralist government, the notion of an imperial presidency is not shared by the party wing around Vice President Joice Mujuru and her husband, ex-general, now prominent businessman Solomon Mujuru. The MDC-T wants executive authority to be shared between president, prime minister and cabinet, with internal checks and balances within the executive. ZANU-PF – arguing that the past year has shown two centres of power are unworkable – supports a presidential system of government.¹³ The ZANU-PF document states:

The experience of the people of Zimbabwe with the inclusive government since February 2009 has shown that sharing of executive power by the President and Prime Minister will result in ... always a fight for power rather than progress. If there has to be a Prime Minister, he [should] not have executive authority. He is only a senior minister appointed and accountable to the President. In the SADC region, the prevalent arrangement is Head of State and leader of government.¹⁴

Finally, preparations need to be made for presidential and parliamentary elections. There is much discussion of delaying these for several years, perhaps until 2013, so as to put electoral politics aside while the country copes with massive economic and social tasks. Many in Tsvangirai’s camp believe their party has not yet built a strong record in government and are equally concerned over how the military would react to a potential MDC-T victory.¹⁵ Meanwhile, many ZANU-PF stalwarts believe their party would be convincingly defeated, since recent polls indicate its support is now less than 20 per cent.¹⁶ Though it is still possible that Mugabe might dissolve the government in an attempt to catch the opposition off-guard with a rigged snap election as early as 2011, this seems unlikely at present, partly because of increased international scrutiny and engagement.

C. THREATS TO THE TRANSITION

Despite the current stalemate on outstanding GPA issues, there is some prospect that compromises can eventually be reached, though only with the help of intense mediation. However, security sector reform – firmly rejected by Mugabe – has emerged as a key challenge. Failure to initiate this process could unravel the inclusive government, prevent a smooth transition to the post-Mugabe era and raise real prospects of a coup, with accompanying instability that would affect the whole region. A dozen or so “securocrats” – senior military and intelligence figures – are widely considered to hold de facto veto power over any real transition. A cabal of powerful generals, with the support of elements in ZANU-PF, still believes that Tsvangirai should not be permitted to lead the country, even if he wins an election. The MDC-T leadership has raised this implicit threat with SADC leaders. The issue is so sensitive that it was not addressed in the Mbeki-led GPA negotiations, but it has become a key agenda item for the new mediation team appointed by Jacob Zuma, his successor as South African president.¹⁷

Moreover, even if the inclusive government completes the GPA, achieves a new democratic constitution and addresses the electoral process, the transition will not be assured unless a broader challenge is met, namely development of the political system to ensure that ZANU-PF and the MDC-T balance political competition with cooperation in governance. This will be particularly difficult as long as the divisive Mugabe is at the helm. At the December 2009 ZANU-PF congress,

¹⁰ Crisis Group interview, Ernest Mudzengi, coordinator, National Constitutional Assembly, Harare, 8 January 2010.

¹¹ Crisis Group interview, Paul Mangwana, ZANU-PF co-chairman, Constitutional Review Committee, Harare, 7 January 2010.

¹² Booklet on ZANU-PF position on the constitution-drafting process, February 2010, shown to Crisis Group.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Crisis Group interviews, senior MDC-T officials, 4-8 January 2010.

¹⁶ A Gallup International poll released on 18 January 2010 indicated that Mugabe’s support is only slightly greater: 25 per cent.

¹⁷ See Sections IV and V below.

he retained his party presidency unchallenged for an additional five-year term, thus positioning himself to contest another national election.

III. POLITICAL PARTY STRATEGIES

The three principal parties to the GPA went into the inclusive government with a stated objective of securing political stability, initiating economic recovery and holding fresh elections under a new constitution within eighteen months, that is, by March 2010.¹⁸ While that date is no longer realistic, the government's perceived successes and failures have emerged as the key battleground between the parties as they position themselves for an eventual electoral test.

ZANU-PF – divided along factional lines on strategy, still seized with its Mugabe succession problem and battling to retain power that it has only reluctantly shared in the inclusive arrangement – comes close to unity only in its intent to frustrate reforms whose benefits would accrue primarily to the MDC-T. The MDC-T believes that success for the inclusive government in instituting political reforms and economic recovery would pave the way for it to win the right to form the next government after elections. MDC-M leaders, recognising their party lacks a solid base, are hedging their bets, seeking to keep the inclusive government functioning, while searching for an advantageous alliance ahead of a national vote.

A. ZANU-PF'S DIVISIONS

1. The Mnangagwa camp's hard line

ZANU-PF's overall objective in the inclusive government is to undercut any major political and economic reforms associated with the MDC-T and Prime Minister Tsvangirai. Under Emmerson Mnangagwa, the defence minister and presidential hopeful, and with the support of military leaders, ZANU-PF's participants in the unity government want to neutralise Tsvangirai and his party's ministers, while taking advantage of the former opposition's presence in government to push for the removal of targeted travel and related international sanctions on Mugabe and his party's ministers.¹⁹

This approach has Mugabe's backing but, for reasons related to ZANU-PF's ongoing internal power struggle, not that of the Mujuru faction. Mnangagwa allies control

the state bureaucracy, while Mujuru allies control what remains of grassroots support in those provinces the party dominates. Mugabe, conscious that neither faction commands overwhelming support within the party or sufficient national popularity to ascend to power on its own, plays them against each other in order to maintain his grip on the divided movement. While he has tended to side with Mnangagwa in dealings with the MDC-T, he has mostly favoured the Mujurus on internal ZANU-PF decisions.²⁰

The attempt to frustrate the MDC-T includes at the national level:

- ❑ securing a five-year term for the inclusive government (to 2013), with Mugabe at the helm until then or he decides to retire, while making both it and the parliament dysfunctional; steps in this regard continue, including acts of lawlessness such as continued farm invasions, violations of property and investment rights, and resistance to political and economic reforms so as to discredit the MDC-T both nationally and internationally as an effective political force;
- ❑ retaining control of key state institutions and reducing Tsvangirai to a ceremonial prime minister, while discrediting, compromising and corrupting him and his party's ministers;
- ❑ derailing the pace of the constitutional reform process; and
- ❑ inducing fears of a military coup should Tsvangirai win the election and attempt to take over from Mugabe.²¹

The plan is executed at government level by ZANU-PF permanent secretaries, whose appointments Tsvangirai accepted in the misguided belief that they would act as professional civil servants.²² All these ZANU-PF loyalists selected by Mugabe were first recommended by Misheck Sibanda, chief secretary to the cabinet and a key Mnangagwa ally. In general, the permanent secretaries have taken advantage of the inexperience of MDC-T ministers to acquire free rein in determining the pace and implementation of government decisions and policies.²³

²⁰ Mugabe and the Mujurus belong to the same Zezuru clan. As discussed below, this clan, and not Mnangagwa's Karangas, tends to dominate key ZANU-PF offices and institutions. Solomon Mujuru also played a vital role during the liberation struggle in persuading fighters to accept Mugabe's rise to the party leadership.

²¹ Crisis Group interviews, ZANU-PF politburo members and intelligence and military officers, Harare, 9-29 September 2009, 23 December 2009-10 January 2010.

²² "Principals agree on appointment on Permanent Secretaries", *The Herald*, 30 March 2009.

²³ Crisis Group interview, MDC-T cabinet minister, Harare, 21 November 2009.

¹⁸ See GPA, preamble, p. 2.

¹⁹ Crisis Group interviews, ZANU-PF politburo member, Harare, 23 December 2009; intelligence official, Harare, 21 December 2009.

Permanent secretaries in education and public service ministries, for example, have in effect overturned decisions by their ministers with regard to new school fees structures and a manpower audit of the civil service, on whose payrolls ZANU-PF has placed more than 20,000 youth militia members.²⁴

George Charamba, the influential permanent secretary in the information and publicity ministry, who doubles as Mugabe's spokesperson, has denigrated the work of the government in which he serves, saying "I am in the kitchen; there's lots of smoke but hardly much cooking going on".²⁵ This characterisation suits those in ZANU-PF who fear that the electorate would credit successes primarily to Tsvangirai and the MDC-T.²⁶ Likewise, strategists aligned with Mnangagwa calculate, failures of the inclusive government are more likely to cast doubt on Tsvangirai's capacity to provide effective national leadership.²⁷

Tsvangirai is also being prevented from demonstrating authority. He has not been able to chair a single cabinet session,²⁸ even though the GPA makes him deputy chairman of cabinet as well as prime minister and leader of government business in parliament. He should normally exercise the chair function in the president's absence, but ZANU-PF argues at the GPA negotiations that allowing him to do so would make the two vice presidents, Joice Mujuru and John Nkomo, redundant, causing further tension in the already fractious party.²⁹ Consequently, those senior ZANU-PF members alternate in chairing the cabinet when Mugabe is absent. On 25 January, Mugabe issued a written order for all ministers to report to the vice presidents and their permanent secretaries, not to Tsvangirai, on the execution of government business. While the order was subsequently withdrawn, the MDC-T considered it a blatant attempt to neuter the prime minister's office.³⁰

In addition to frustrating the constitutional reform process so as to extend the lifespan of the inclusive government, a second strand of the strategy involves ensuring that parliament does not pass laws that would affect ZANU-PF

control of state institutions.³¹ Even though the two MDC parties together constitute a small majority in the legislature, only eight bills have been passed in more than a year, two of which were meant to facilitate formation of the inclusive government, and the parliament has limited its work days due to inadequate funding.³² While ZANU-PF's bloc has used parliamentary procedures to stall movement, this meagre legislative record is also partly the result of the MDC-T's own failings (see below).

Mnangagwa supporters believe that despite its problems, the inclusive government could well limp on for a full term until 2013, with Mugabe at the helm, as the constituent parties have no better alternative.³³ They consider that this would give their camp time to regroup from its failure to tilt the balance of power at the ZANU-PF December 2009 congress, when it supported the unsuccessful candidacy of ZANU-PF Women's League chair Oppah Muchinguri to oust incumbent Vice President Joice Mujuru.³⁴ They hope also that, after elections, they can dominate a new coalition government through alliance with MDC-M and perhaps even some MDC-T elements.

The Mnangagwa camp and its military allies, led by Defence Forces Commander General Constantine Chiwenga, was behind the resolution at the December congress instructing Mugabe to make no further concessions on outstanding GPA issues until the MDC-T provides satisfaction on a number of ZANU-PF demands, including the removal of targeted Western sanctions against party leaders.³⁵

²⁴ "Permanent Secretaries usurp Ministers Powers", *ZimOnline*, 10 January 2010.

²⁵ "When leaders prove they are a big joke", *The Zimbabwe Independent*, 8 October 2009.

²⁶ Crisis Group interview, Harare, 7 January 2010.

²⁷ Crisis Group interview, ZANU-PF member of the commissariat department, Harare, 17 September 2009.

²⁸ *Ibid.*

²⁹ Crisis Group interview, ZANU-PF politburo member, Pretoria, 12 January 2010.

³⁰ "Tsvangirai rejects Mugabe directive", *The Zimbabwe Independent*, 4 February 2010.

³¹ Crisis Group interview, senior military official, Harare, 2 January 2010.

³² Crisis Group interview, Speaker of Parliament Lovemore Moyo, Harare, 17 September 2009.

³³ Crisis Group interview, ZANU-PF politburo member, Harare, 2 January 2010.

³⁴ "Mnangagwa faction crushed", *The Zimbabwe Independent*, 19 December 2009.

³⁵ "Congress resolves that our negotiators cease to entertain any discussion on or negotiation of the resolution relating to the appointment of the governor of the Reserve Bank, Attorney General and the provincial governors as these issues fall outside the purview of the Global Political Agreement and have their solid statutory origins that protect them. There should be no movement on the concerns of the MDC formations without corresponding and simultaneous redress of ZANU-PF's concerns such as the illegal western sanctions, western funded radio broadcasts and western interference in Zimbabwean internal politics through the funding of parallel government structures". ZANU-PF Congress Resolutions, 13-15 December 2009. "No more outstanding issues", *The Herald*, 10 August 2009. Crisis Group interview, ZANU-PF politburo member, Harare, 25 September 2009.

2. The Mujuru camp's pragmatism

The Mujuru camp believes the successes the inclusive government has achieved and its ability to put a crimp in Mnangagwa's presidential ambitions at the December congress have strengthened its chances to control the party and retain significant national power when Mugabe eventually retires or dies. Its dominance in the new politburo announced on 10 February 2010 by Mugabe confirmed that it is tightening its grip on the party leadership.

Mujuru supporters no longer call for Mugabe's early exit, instead supporting him to stay until a moment of his own choosing.³⁶ This shift results from a conclusion that he is too strong to be forced out at present and that his continued prominence provides cover for their largely behind-the-scenes manoeuvres to consolidate their position for the eventual showdown with Mnangagwa. Consequently, the Mujurus seek to promote further achievements for the inclusive government and building lines to Tsvangirai and the MDC-T that could eventually result in a coalition. They realise that it would be difficult in the immediate term for any ZANU-PF candidate to beat Tsvangirai and the MDC-T in reasonably free and fair elections³⁷ but conclude that Zimbabwe is likely to need an inclusive government for at least the next decade regardless of which party does best in a national vote.³⁸

This strategy requires Joice Mujuru, 54, to retain the country's senior vice presidency, a position that gives her the inside track to ascend to the presidency if Mugabe retires or dies before the end of his term.³⁹ The current constitution provides that in such a contingency the senior vice president acts as head of state for a 90-day period followed by elections. The GPA stipulates that ZANU-PF would appoint a successor for the remainder of Mugabe's term.⁴⁰ Because of her seniority, that would also favour Joice Mujuru.

In either event, the Mujuru camp considers that an alliance with Tsvangirai would be necessary to solidify Joice's position. She herself has privately told supporters she would have no problem working with Tsvangirai in the post-Mugabe period, though in public she talks tough about the MDC-T leader. A senior ally in the ZANU-PF

politburo said, "she recognises Tsvangirai as an undeniable key player in Zimbabwe politics and in any future arrangement, hence strategic political relations are being cultivated across the party divide using the platform of the inclusive government".⁴¹ Cabinet ministers linked to the Mujurus have established a degree of confidential collaboration with their MDC-T counterparts and Tsvangirai to promote the reform agenda. This is still mainly preparatory and has not yet produced concrete legislative achievements, however, because the Mujurus rightly fear that to come into the open now would leave them vulnerable to criticism from the hawks within their own party.⁴²

The Mujuru camp advocates a constitution providing for an executive prime minister and a president with considerably less power than at present.⁴³ Its assessment is that there will need to be a second inclusive government of some kind after Mugabe leaves the scene⁴⁴ and that such a constitutional arrangement would be advantageous under the two likeliest scenarios – both of which acknowledge that it may have to be content with the junior role in a partnership with Tsvangirai and the MDC-T. If the Mujurus lose the internal party battle to Mnangagwa, they might throw their support behind MDC-T in the elections and Tsvangirai as a strong prime minister in exchange for the backing of Joice as a relatively weak president. Even if the Mujurus win control of ZANU-PF, however, they doubt they could defeat Tsvangirai nationally, so the presidential post would be a reasonable second best in a political settlement to which they would bring their presumed ability to placate a critical mass of the military.⁴⁵

A close Mujuru adviser summed up: "Tsvangirai and MDC-T would be key in any future dispensation, and our political strategies are alive to that reality".⁴⁶

³⁶ Crisis Group interview, ZANU-PF politburo member, Harare, 23 September 2009; "ZANU-PF endorses Mugabe for President", *The Herald*, 12 September 2009.

³⁷ Crisis Group interview, ZANU-PF politburo member and adviser to Mujuru faction, Harare, 11 September 2009.

³⁸ Crisis Group interview, ZANU-PF politburo member linked to Mujuru faction, Pretoria, 11 February 2010.

³⁹ At the ZANU-PF congress, the Mujurus obtained the endorsement of all the party's provincial leaders for Joice to keep her position in the face of the Mnangagwa-Muchinguri challenge.

⁴⁰ See GPA, p. 3.

⁴¹ Crisis Group interview, senior ZANU-PF politburo member linked to Mujuru faction, Harare, 2 January 2010.

⁴² Crisis Group interview, ZANU-PF cabinet minister linked to Mujuru camp, Harare, 17 September 2009.

⁴³ Crisis Group interview, member of Mujuru advisory group, Harare, 21 September 2009.

⁴⁴ "Given the political dynamics evolving, it is inevitable that there would be need for a second inclusive government post-Mugabe, regardless of which party or faction wins [elections]". Crisis Group interview, member of Mujuru camp advisory group, Harare, 22 September 2009.

⁴⁵ Crisis Group interview, ZANU-PF politburo member linked to Mujuru faction, Harare, 16 September 2009.

⁴⁶ Crisis Group interview, member of Mujuru camp advisory group, Harare, 22 September 2009.

3. Clan politics and the Mugabe succession – the “Zezuru mafia”

The December congress that retained Mugabe at the helm of the party for another five years appeared to confirm the view that the octogenarian wants to die in office rather than face an uncertain future in retirement. Barring any major midstream leadership changes, Mugabe, who turned 86 on 21 February 2010, now seems likely to stand for re-election.⁴⁷ However, clan and regional fault lines that will influence the question of his eventual successor as party leader were also highlighted at the congress.

While Mugabe has kept his authority in the party in part by skilfully playing the Mujuru and Mnangagwa factions against each other, he has also relied heavily on the fact that the presidium – the party president, two vice presidents and the national chairman – is dominated by members of his Zezuru clan. He used that connection again in December 2009 to keep his position unassailable. In particular, the Zezuru line-up in both the presidium and politburo beat back relatively marginalised clans, mainly the Karangas led by Emmerson Mnangagwa, who believe it is their turn to have more power.⁴⁸ A key consequence of this latest round of clan politics was, therefore, the strengthening of the Mujurus’ position vis-a-vis Mnangagwa.⁴⁹

The Zezuru dominance results from the 1980 division of Zimbabwe into ten provinces. Mashonaland (Zezuru) was cut up into four provinces: West, East, Central and Harare; Matebeleland (Ndebele) into three: North, South and Bulawayo; and Masvingo (Karanga) into only two, Masvingo and Midlands, while Manicaland (Manyika) remained undivided.⁵⁰ On any decision in ZANU-PF, the Zezuru grouping, now headed by the Mujuru camp, has a virtual veto and needs only two other provinces to carry the day. Moreover, the strength of the Mashonaland East and Central vote for ZANU-PF in past national elections has increased the leverage of the Zezurus generally and the Mujuru camp specifically.

⁴⁷The ZANU-PF constitution states that the president of the party is automatically its candidate for the national presidency in an election called during his or her tenure, though the individual can choose to step down rather than perform this obligation.

⁴⁸The Zezuru, Karanga and Manyika clans make up the Shona-speaking bloc in Zimbabwe. The other major linguistic grouping is that of the Ndebele from the Matebeleland provinces.

⁴⁹The politburo is the party’s supreme policy-making body, made up of 40 members appointed by Mugabe in consultation with the presidium. Joice Mujuru is a leading member of both the presidium and the politburo. In addition to her and Mugabe, the other members of the presidium are Vice President John Nkomo and National Chairman Simon Moyo, both Ndebeles who owe their positions to the ZANU-PF/ZAPU 1987 Unity Accord.

⁵⁰See “Zimbabwe National Geographical Map”, p. 11, local government and rural development ministry.

The Karangas, who are 35 per cent of the national population to the Zezurus’ 25 per cent, received none of the top five party posts at the 2004 congress and were determined to do better in December 2009.⁵¹ By the eve of the congress, however, it was apparent they would fail. Basil Nyabadza resigned as party chairman for Manicaland in protest at what he described as a flawed nomination process and told Crisis Group: “Some leaders are like UN permanent Security Council members”,⁵² a reference to Mugabe’s rigid allocation of presidium positions based on the ZANU/ZAPU 1987 unity accord. While the congress’s rejection of the Karanga-Mnangagwa initiative and confirmation of Zezuru dominance within the party gave the Mujuru camp an edge in the succession struggle,⁵³ it at the same time exacerbated clan tensions that risk erupting into conflict at the national level in the post-Mugabe era.

4. Tsholotsho II

Mnangagwa, 65, has the support of the ZANU-PF leadership in Manicaland, Midlands, Masvingo and Matebeleland South, but these provinces have been MDC-T strongholds in recent elections. This suggests that he starts well behind in any three-way national contest against Tsvangirai and Joice Mujuru. He is a resilient politician, however. Despite a series of setbacks in the past ten years, he continues to marshal support and remains a serious contender for power. Having been thwarted in the campaign to bring down Joice Mujuru at the December congress, his camp is having more success in its current campaign, called Tsholotsho II,⁵⁴ to return key allies – suspended or marginalised in the aftermath of the 2004 congress defeat – to influence in party structures.⁵⁵

⁵¹Mugabe also regularly gives members of his tribe a large portion of key government, military and parastatal positions.

⁵²Crisis Group interview, Harare, 22 December 2009.

⁵³The Mujuru camp, with all four Zezuru-speaking Mashonaland provinces voting as a bloc, created alliances with the Matebeleland provinces to control the presidium elections.

⁵⁴Tsholotsho I is the name given to the effort that former Information Minister Jonathan Moyo reportedly spearheaded in 2004 to defeat Joice Mujuru’s nomination to the ZANU-PF presidium.

⁵⁵Among those in key party positions are former ZANU-PF lead negotiator and Justice Minister Patrick Chinamasa; former Information Minister Jonathan Moyo; Manicaland provincial chairman Mark Madiro (Nyabadza’s successor); former Matebeleland North Chairman Jacob Mudenda; Headman Moyo; Midlands Central Committee member and key adviser July Moyo; Deputy Minister for Energy Power Development Hubert Nyanhongo; war veterans leaders Jabulani Sibanda and Joseph Chinotimba; youth leader Edison Chakanyuka; former Masvingo provincial governor Josiah Hungwe; and Women’s League leaders Oppah Muchinguri, Shuvai Mahofa and Mabel Chinomona. A majority of key government bureaucrats are

A Mnangagwa supporter in the ZANU-PF politburo said, “we are creating our party within the main party – it’s one of the strategies which we are crafting to ready ourselves for the challenges ahead to win the presidency”.⁵⁶ Mnangagwa is also using his defence minister portfolio to strengthen ties to the security establishment,⁵⁷ and his emissaries have even begun to explore possible alliances with Tsvangirai and the MDC-T, or at least some elements of that party.

Nothing is impossible in politics. There are no permanent friends or enemies. All options are open for consideration. Our Plan A is for our preferred candidate to ascend to power on his own. Our Plan B is to consider how we can forge an alliance with MDC-T and Tsvangirai, though this is still a remote possibility at this juncture.⁵⁸

B. MDC-T

1. Advancing the inclusive government

The MDC-T leadership believes that it will ultimately be judged by the electorate on its record in office. As a result, it has been focused over the past year on pushing implementation of the GPA and making the inclusive government functional. Thus, it has given relatively little attention to growing the party by building alliances and to shoring up its structures countrywide. Tsvangirai considers that a successful inclusive government would pave the way for the MDC-T to take responsibilities more firmly into its hands after fresh elections, since it can prove to sceptics that it is competent and can be entrusted with stewardship of the country. He told Crisis Group:

We are in this inclusive government to restore political and economic stability and give Zimbabwe hope for a better tomorrow and a chance for a fresh beginning, and we believe, besides the setbacks and frustration, we have managed to do that in the past year. ... Zimbabweans have seen a modest peace dividend and want more. Our challenge is to deliver on that front.⁵⁹

also linked to Mnangagwa including the chief secretary to the president and cabinet, Misheck Sibanda.

⁵⁶ Crisis Group interview, Harare, 7 January 2010.

⁵⁷ Ibid.

⁵⁸ Crisis Group interview, ZANU-PF politburo member linked to Mnangagwa, Harare, January 2010. An intelligence officer offered a slightly different take, saying that Mnangagwa seeks to weaken Tsvangirai’s presidential chances by forging an alliance with the MDC-M and splitting the MDC-T. Crisis Group interview, Harare, 9 January 2010.

⁵⁹ Crisis Group interview, Johannesburg, 30 November 2009.

The decision to enter government was driven by a pragmatic assessment that Mugabe, ZANU-PF hardliners and the security forces held a monopoly of force, were willing to use it against opponents and were favoured by Mbeki, the SADC mediator. The MDC-T calculated that in those circumstances, its capacity to effect change would be greater inside than outside government, and it believes that events are proving it correct.

The party is proudest of the inclusive government’s ability to overcome obstacles put up by the ZANU-PF hardliners and its limited financial resources to record some impressive economic gains. Finance Minister Tendai Biti said the MDC-T had managed “to stop the bleeding and to bring sanity to the governance of economic affairs under very difficult circumstances. ... An economy works on the basis of predictability and trust, and what we have done in the past ten months is to bring predictability, consistency and therefore some legitimacy”.⁶⁰

Though Biti added that the recovery is fragile, and more donor support is needed to sustain the momentum for change and avoid a relapse,⁶¹ economic stability has caused Tsvangirai’s popularity to rise. A poll by the reputable Harare-based Mass Public Opinion Institute (MPOI) in September found that 57 per cent would vote for Tsvangirai, 10 per cent for Mugabe in new elections.⁶²

Tsvangirai believes that the international community should reward progress by extending aid for reconstruction and development. “There is no dispute in everyone’s assessment that there is, indeed, progress being made in Zimbabwe, and how do you reward that progress? By moving away from just humanitarian aid to economic growth, development aid and ensuring that any existing restrictions are removed”.⁶³ Attempting to walk a tight-rope with its ZANU-PF partners in the inclusive government, the MDC-T wants the lifting of “non-personal sanctions” – those impacting government entities vital to economic recovery, such as the Agricultural Bank of Zimbabwe – but targeted measures retained on individuals who continue to block meaningful political reforms.⁶⁴ Tsvangirai has written to EU leaders, including UK Prime Minister Gordon Brown, urging a general review of restrictive measures, while Biti requested the EU to free eight government companies from its sanctions.⁶⁵ On 15 February, the EU responded by renewing the

⁶⁰ Crisis Group interview, Harare, 22 September 2009.

⁶¹ Ibid.

⁶² See Mass Public Opinion Institute Survey, September 2009.

⁶³ Crisis Group interview, Johannesburg, 10 October 2009.

⁶⁴ Crisis Group interview, member, MDC-T National Executive Council, Pretoria, 7 November 2009.

⁶⁵ Crisis Group interview, Western diplomat, Harare, 8 January 2010.

sanctions regime for a year, while dropping nine companies from the list.⁶⁶

2. The Tsvangirai/Mujuru axis

The MDC-T originally anticipated that the inclusive government would last at most two years, during which rapid political and economic reforms would be followed by fresh elections.⁶⁷ This expectation has been modified by political realities, and a senior Tsvangirai aide summed up the frustration: “You really wonder whether Mugabe is in charge. Maybe we should have directly negotiated with the military during the mediation, because they appear to be the ones calling the shots”.⁶⁸ Tsvangirai has suggested publicly that an early election might be necessary to break the impasse,⁶⁹ but this appears to be a tactic to put pressure on ZANU-PF. He realises that more time is required to democratise state institutions and put a new constitution in place, so the MDC-T may be prepared to stay in uneasy harness with ZANU-PF in the inclusive government for a full five-year term.⁷⁰

Tsvangirai and his team are consequently taking a two-pronged approach, pushing for incremental gains on political reforms through the negotiation process, while seeking to take full charge of the economy through Biti’s finance ministry. Jameson Timba, the MDC-T deputy information and publicity minister, told Crisis Group:

We have ring-fenced the ZANU-PF economic tsar, Reserve Bank Governor Gideon Gono, and our minister, Biti, is in control. On that front, we have made huge strides because the treasury has reclaimed its power, which was not the case before. Now we are going to pitch the fight to expedite political reforms.⁷¹

Party strategists worry that if the inclusive government collapses before meaningful political reforms are implemented, elections would be held under the current constitution in an even more hostile environment conducive

to ZANU-PF rigging than March 2008.⁷² ZANU-PF hawks are mainly responsible for frustrating reforms, but the MDC-T shares blame for failing to lead in parliament, where it has not used the speakership and its plurality to initiate progressive legislation to open political space. It has not moved aggressively, for example, against restrictive laws like AIPPA and POSA. The MDC-M leadership has threatened its legislators with party expulsion if they get too close to the Tsvangirai wing of the once unified movement, and, as noted above, the Mujuru camp of ZANU-PF is not yet prepared to cooperate openly. But some MDC-T leaders in government and parliament appear satisfied with the temporary arrangement and the accompanying perks it provides. There are also allegations, as yet unproven, of corruption involving ministers and local councils the party controls.⁷³

The MDC-T constitutional proposal – an executive prime minister and a weaker president – is similar to what the Mujuru camp supports, and Tsvangirai, like Joice Mujuru, has privately indicated to confidantes a willingness to work together.⁷⁴ However, Tsvangirai seeks to maximise his leverage by keeping options open, since both ZANU-PF factions are privately reaching out to him about possible post-Mugabe alliances.

MDC-T insiders told Crisis Group the past year has convinced Tsvangirai he would still need to work with some ZANU-PF elements after an electoral victory “to complete the transition and neutralise hawks in ZANU-PF and some elements in the securocrats who still control most key institutions”.⁷⁵ A close adviser said, “we would need to form a second inclusive government with some elements in ZANU-PF out of our own magnanimity to complete the transition and soft-land the crisis, even if we were to win outright in the next election”.⁷⁶ But worry about a military coup explains much of the MDC-T leadership’s interest in exploring a second inclusive government, in particular with the Mujuru camp, which commands loyalty from some influential generals.

C. MDC-M

The MDC-M faction, which has ten members of parliament, exercises limited influence and recognises that its very survival is heavily dependent on the durability of the inclusive government. While publicly stating that an

⁶⁶ “EU renews sanctions on Mugabe and his cronies”, voanews.com, 15 February 2010. The EU cited lack of speed in implementing the GPA and reforms as the basis for retaining the sanctions regime. The U.S. announced on 1 March that it would also continue its sanctions regime for another year. “U.S. extends Zim sanctions for another year”, Agence France-Presse, 2 March 2010.

⁶⁷ Crisis Group interview, Johannesburg, 10 October 2009.

⁶⁸ Crisis Group interview, Pretoria, 9 October 2009.

⁶⁹ “Tsvangirai says early elections could solve Zimbabwe’s political problems”, voanews.com, 5 February 2010.

⁷⁰ Crisis Group interview, member, MDC-T National Executive Council, Harare, 3 January 2010.

⁷¹ Crisis Group telephone interview, 6 January 2010.

⁷² Crisis Group interview, member, MDC-T National Executive Council, Harare, 4 January 2010.

⁷³ “MDC-T Ministers under probe”, *The Zimbabwe Independent*, 15 January 2010.

⁷⁴ *Ibid.*

⁷⁵ Crisis Group interview, Harare, 24 September 2009.

⁷⁶ Crisis Group interview, Pretoria, 10 October 2009.

early election would favour ZANU-PF, its leader, Deputy Prime Minister Arthur Mutambara, acknowledges that he needs the full five-year term to raise his political standing and give the splinter party time to forge new alliances that might allow it to stay relevant in the post-Mugabe era. Mutambara's claim that he and the party play a critical unifying role in the GPA and keeping the government functional despite Mugabe's and Tsvangirai's often tense relationship is less than fully persuasive in view of their unhelpful role in parliament.⁷⁷ Without solid grassroots support, it is most likely that the MDC-M will eventually collapse, with some leaders rejoining the larger MDC-T, a revived ZAPU⁷⁸ or ZANU-PF, depending on which faction gains control of the old ruling party. Industry and Commerce Minister Welshman Ncube, the MDC-M power broker, would favour collaboration and an inclusive government pact with the Mnangagwa camp.⁷⁹

IV. THE SECUROCRAT PROBLEM

A. OPPOSITION TO THE TRANSITION PROCESS AND HINTS OF A COUP

After almost a year in the inclusive government, senior MDC-T officials told Crisis Group that they believe the greatest threat to the power-sharing coalition and to the country's stability will come from leaders of the national security services who are refusing to accept the new dispensation.⁸⁰ One said:

We can implement the GPA to the last line, but if we don't deal with the contentious issue of the security leadership in this country, we will be haunted by it at the next elections. We will have a Madagascar-like situation if the military is left with free rein to dictate and influence key decisions with regards to political developments in the country, including national leadership.⁸¹

In private discussions in South Africa, Tsvangirai and other senior MDC-T officials highlighted the issue of

“phased security sector reform” as his principal concern in the run-up to new elections.⁸²

Most observers believe that up to twenty high-ranking security officials (the “securocrats”) maintain a de facto veto over the transition process. Among those frequently cited as hardliners are Defence Forces Commander General Constantine Chiwenga, Police Commissioner Augustine Chihuri and Central Intelligence Organisation Deputy Director General Maynard Muzariri.

In hushed conversations, MDC-T officials and civil society activists express fears that a coup could come shortly after an MDC-T electoral victory or should Mugabe die in office. Mugabe has fully backed the military leadership, his last remaining line of loyal support given his fractious party, in part by ruling out attempts to carry out a security reform program. He left no doubts about this symbiotic relationship in his closing remarks to the ZANU-PF congress on 19 December 2009:

ZANU-PF as the party of the revolution and the people's vanguard shall not allow the security forces of Zimbabwe to be the subject of any negotiations for the so-called security sector reforms. ...That is the most dependable force we could ever have, it shall not be tampered with”.

The issue of the military command was not specifically addressed in the GPA negotiations. Still, the parties agreed to establish a new coordinating body for defence and security policy, the National Security Council (NSC), that would include Tsvangirai and his two deputy prime ministers and replace the ZANU-PF-dominated, secretive and abusive Joint Operations Command (JOC).⁸³ Over the past decade, the JOC has been behind the strategy of repression to keep Mugabe and ZANU-PF in power. It is the instrument through which Mugabe has masterminded the rigging of elections and the continuing wave of violent farm seizures. The fact that the NSC has met only once in the past year while the supposedly defunct JOC holds numerous weekly sessions with no MDC-T participation is deeply worrying. Most recently, the JOC was reportedly behind the January decision by the ZANU-PF politburo to make no further concessions to implement the GPA until sanctions are lifted.⁸⁴

⁷⁷ Crisis Group interview, Deputy Prime Minister Arthur Mutambara, Harare, 21 November 2009.

⁷⁸ ZAPU is led by Dumiso Dabengwa, a former ZANU-PF politburo member who quit the party to revive the movement that was once led by the late Joshua Nkomo and merged with ZANU-PF in the 1987 Unity Accord.

⁷⁹ Crisis Group telephone interview, MDC-M National Executive Council member, 20 January 2010. An electoral alliance with ZAPU to undercut MDC-T support in Matebeleland provinces is also said to be under consideration.

⁸⁰ Crisis Group interview, Harare, 4 January 2010.

⁸¹ Ibid. The Madagascar military forced the elected president, Marc Ravalomanana, from office in 2009 and installed opposition leader Andry Rajoelina.

⁸² Crisis Group interview, senior official, South Africa international relations and cooperation department, 11 December 2009.

⁸³ Crisis Group interview, intelligence officer, Harare, 7 January 2010. The JOC is a national security organ chaired by Mugabe. Its membership includes the two vice presidents, the heads of the army, air force, intelligence, police and Reserve Bank, and the defence, state security, and home affairs ministers. It was inherited at independence from the Smith regime.

⁸⁴ “No further concessions until sanctions lifted”, *The Herald*, 1 February 2010.

A number of generals are now contemplating moving into full-time politics in ZANU-PF, including Chiwenga, who is eyeing a leadership position in the party's campaign in the new elections. This pattern underlines their determination to remain at the centre of national political and economic life.⁸⁵

B. "SOFT LANDING" CONSIDERATIONS

The motives driving the senior security leaders to undermine the transition process and the inclusive government are diverse. In the past, they have reportedly benefited from packages administered by Reserve Bank Governor Gono through so-called "quasi-fiscal measures", as well as largesse channelled through Mugabe's wife, Grace, and Chiwenga.⁸⁶ A number of generals have reportedly built up substantial landholdings, either personally or through family members and other proxies, as a result of farm seizures ostensibly designed to assist the rural poor. Their desire to protect these holdings is a key reason ZANU-PF is opposing implementation of the GPA requirement to conduct a comprehensive land audit, since that exercise would expose these ownership patterns. Mugabe is reportedly still sustaining the livelihoods and patronage network of a small group of generals, mainly through proceeds from the controversial private sale of diamonds being mined in abusive conditions from the Marange fields in eastern Zimbabwe and through loans extended to the military by the Chinese government.⁸⁷

Some senior security officials fear prosecution for gross human rights abuses committed in recent repression campaigns, especially those associated with the 2008 presidential and parliamentary elections, as well as decades-old abuses, such as the killing of over 20,000 mainly Ndebele-speaking people in Matebeleland in the 1980s in a campaign known as Gukurahundi. Amnesties have been granted frequently in the post-independence period, including in 1980, 1985, 1988, 1990, 1995 and 2000. The amnesty provision in 1990 provided a full pardon for security force members for any offense committed during "anti-dissident" operations "if that offence was committed in good faith for the purpose of or in connection with the restoration or maintenance of good order and public safety in Zimbabwe".⁸⁸ Still, a number of senior security officials have quietly expressed concerns that such

amnesties could be revoked under an MDC-controlled government and legislature and that these provisions do not afford protection from international prosecution.⁸⁹

Others generals are motivated by a continuing sense of ideological fervour, viewing their acts of repression against "dissidents" and white farmers over the past three decades as simply a continuation of the liberation struggle of the pre-independence period. In the extreme, they believe that Tsvangirai and the MDC-T are mere puppets for white farmers and business interests, as well as foreign interests, especially British. They see themselves as the bulwark and Praetorian Guard of the revolutionary struggle, and thus handing over power to Tsvangirai, who has no liberation war record, would amount to selling out. One implication of this attitude is that these security officials would be loath to appear before anything resembling a truth and reconciliation commission and acknowledge their abuses, since they believe that their acts were not crimes but heroic feats to protect Zimbabwe from its enemies.

Zimbabweans across the political spectrum are increasingly debating the question of how to secure the retirement of these security officials during the life of the inclusive government.⁹⁰ Many are highly reluctant to consider any concessions to the officials, viewing them as rewards for past abuses and undercutting rule of law in a future Zimbabwe. While even these individuals see the threat from the generals, they also believe that the threat can be minimised by playing on the growing divisions between senior security officials and the rank-and-file military and police, who have themselves suffered under the economic implosion brought about by Mugabe and his cronies. Further, they doubt that concessions would have the desired effect, given the varied motivations of the generals and their scepticism regarding the permanence and utility of past amnesties.

Some suggest that security sector reform, leading to higher salaries, improved housing and educational benefits and a greater sense of pride in a professional security service, would better undercut the capacity of senior officers to use troops against a democratically-elected government.⁹¹ Expanded international pressure on Mugabe and ZANU-PF to ensure the full functioning of the National Security Council, truly disband the Joint Operations Centre and proceed with the land audit to settle issues of ownership and compensation, if necessary, would go a long way toward diminishing the threat of the security officials.

⁸⁵ Crisis Group interview, senior military official, Harare, 8 January 2010.

⁸⁶ Crisis Group interview, senior military officer, Harare, 7 January 2010.

⁸⁷ Crisis Group interview, senior official, finance ministry, Harare, 3 January 2010.

⁸⁸ See "Breaking the Silence, Building True Peace", The Legal Resources Foundation and the Catholic Commission for Justice and Peace (CCJP), a March 1997 report on the 1980-1989 disturbances in Matebeleland and the Midlands.

⁸⁹ Crisis Group interviews, senior military officer, ZANU-PF politburo member, Harare, 7 January 2010.

⁹⁰ Crisis Group interviews, senior MDC-T, MDC-M, ZANU-PF and civil society leaders, Harare, December 2009, January 2010.

⁹¹ Crisis Group interview, member of MDC-T National Executive Council, Pretoria, 11 February 2010.

At the same time, a number of MDC-T and MDC-M officials and human rights activists, including some who have suffered the worst of the abuses, have raised the possibility of arranging “soft landings” for the securocrats.⁹² Persuading them to retire peacefully will not be easy, given their fears of the post-Mugabe era. Among the ideas being discussed is a new domestic amnesty for acts committed since the last amnesty in 2000, in exchange for the retirement of the officials, but revocable should they be found to be engaging in actions to thwart the transition to democratic governance. In keeping with past Zimbabwean practice, such an amnesty would not apply to so-called “specified offences”, such as murder, rape and theft of public property, nor would it protect the officials from international prosecution for crimes against humanity, war crimes and genocide.

Another idea being discussed is to allow the generals to keep their assets, including perhaps even their farmlands, by arranging legal transfer to them as retirement compensation, but also providing compensation to those illegally dispossessed. The U.S., EU and others could sweeten the deal by removing targeted sanctions on those who comply with its terms, since they would no longer be thwarting the transition.

It is unclear whether these measures, even in combination, would be sufficient to remove the threat posed by many of the incumbent leaders of the security forces. Having always associated the exercise of power with the use of force, they may never be satisfied that their economic interest and personal security could be adequately protected after they surrender their power.

V. THE ROLE OF SOUTH AFRICA AND SADC

Zimbabwe’s economic implosion and Mugabe’s increasingly authoritarian rule have had wide regional implications. The country traditionally was Southern Africa’s bread-basket, and its relatively modern infrastructure, extensive mining and manufacturing sectors, prosperous tourism and well-trained labour force helped anchor the region. With the end of apartheid in the early 1990s, many envisaged South Africa and Zimbabwe driving a broad regional market, complete with extensive energy and transport links. Instead, Harare has become a regional crisis and embarrassment. Up to four million Zimbabweans⁹³ – roughly a third of the population – have flooded across

national borders due to political repression and absence of economic opportunities, affecting the stability of particularly South Africa and prompting xenophobic attacks by those fearing loss of jobs or a drain on social spending.⁹⁴ Similarly, South African business grew deeply concerned over the collapse of Zimbabwe’s mining, manufacturing, tourism and agriculture sectors and infrastructure, in all of which it has major investments.⁹⁵

A month after the failed March 2008 elections and acting on behalf of SADC and the African Union, Thabo Mbeki launched the mediation that produced the GPA in September of that year. As described above, this mediation remains essential, because of the difficulties that immediately developed with GPA implementation and the operations of the inclusive government. Facing a political crisis at home that eventually led to his resignation as president, Mbeki did little further, but the advent of Jacob Zuma as his successor has changed the situation. While Zuma carefully refrained from challenging Mugabe or the new SADC president, the Congo’s Joseph Kabila, during the early September 2009 Kinshasa summit, he has subsequently displayed a refreshing engagement and toughness on the Zimbabwe account.⁹⁶

In a clear break with the Mbeki team, Zuma appointed three of his most trusted and powerful advisers – international relations specialist Lindiwe Zulu, anti-apartheid veteran Mac Maharaj and former cabinet minister Charles Nqakula – as his point-persons for the mediation process. Significantly, at SADC’s special summit on Zimbabwe in Maputo in November 2009, following the MDC-T’s suspension of its participation in the inclusive government, Zuma was reportedly firmer with Mugabe than anyone had been during the lengthy crisis, reaffirming that there was no alternative to the GPA and that a tough response would be forthcoming against any party that derailed it. “He told the three principals, including Mugabe, that with him at the helm of the mediation, it was no longer business as usual”.⁹⁷

There is growing impatience among the South Africans with the slow pace of reform. Though it looks improbable, the mediation team indicates that all main outstanding issues should be resolved before June, when the football World Cup begins in South Africa: “We don’t want trouble in our backyard, especially this year when we

⁹² Crisis Group interviews and discussions, Zimbabwe, November 2009, January 2010.

⁹³ “Four million Zimbabweans living in diaspora”, *The Business Day*, 16 December 2009.

⁹⁴ “Xenophobic attacks ignite in Cape Town”, *The Star*, 27 November 2009.

⁹⁵ “South Africa seeks investment protection with Zimbabwe”, *The Business Day*, 11 December 2009.

⁹⁶ Crisis Group interview, senior official, South Africa international relations and cooperation department, Pretoria, 21 December 2009.

⁹⁷ *Ibid.*

host the World Cup, and our mediation team will work hard to ensure that key issues are out of the way before mid-year".⁹⁸ The South African intelligence leadership has reinforced this message with all principals in the inclusive government,⁹⁹ and Zuma has publicly urged the three political parties in the power-sharing arrangement to resolve remaining issues in time for elections in 2011.¹⁰⁰

The Zuma team considers that ZANU-PF and MDC-T have both been guilty of adding peripheral items to the negotiating agenda. Zuma has called on the principals to be more flexible and "park" a number of topics for the time being to allow progress.¹⁰¹ A senior ANC executive member told Crisis Group:

The heart of the crisis in Zimbabwe centres around security issues which have closed political space and yielded disputed election outcomes for the past ten years. That's what should consume our time in the mediation process. Getting Reserve Bank Governor Gono out today or arguing about the prime minister's residence is not going to result in a free and fair election and a smooth transition".¹⁰²

Zuma's mediation also includes an effort to deal with the securocrat problem. A selected group of retired generals from South Africa and other SADC countries are to hold discussions with senior Zimbabwean officers about the role of the military in a civilian-led government.¹⁰³ At the same time, Pretoria is working on issues related to a possible amnesty or other forms of immunity for the current security leadership in the post-Mugabe era. A senior official in the African National Congress (ANC), South Africa's ruling party, explained:

The way the security leadership in Zimbabwe is handled is crucial to how a smooth transition process can be achieved. Our mediation process, as well as the main parties to the negotiations, cannot turn a blind eye to that critical element given Zimbabwe history. We can complete all the elements as outlined in the GPA, but if we don't work on and begin to engage that sensitive issue now, it could create great instability and roll back all the gains which we would have achieved. We are very aware that is the crux of the

matter, and we are exploring ways to delicately engage on this sensitive issue.¹⁰⁴

In order to influence the emerging power dynamics in Zimbabwe, the Zuma administration has also deepened its relations with Tsvangirai and the MDC-T, while privately urging ZANU-PF to consolidate and clarify its own party succession plan.¹⁰⁵ A member of the ANC executive told Crisis Group that because his party was doubtful there would be a smooth political settlement after another round of elections or a Mugabe exit, it was drawing on its experience in ending apartheid to encourage a private dialogue between moderates in ZANU-PF and the MDC-T with a view to building support for a coalition government after the polls regardless of who wins.¹⁰⁶

SADC as an organisation has continued to defer to South Africa on Zimbabwe policy, while calling for strict adherence to the GPA, continued negotiations on outstanding issues, new foreign assistance and investment and a lifting of Western sanctions. Many in Zimbabwe believe that only Zuma, among current southern African leaders, has the mix of political stature and revolutionary credentials to take a tough, effective line with Mugabe. While Mugabe is reportedly surprised and angered at his treatment by Zuma, recent progress, though slow and inconsistent, suggests the approach can work. Aware of the impact of Zimbabwe's continuing crisis on his own country's economic and social conditions, there are strong reasons for the South African president to remain engaged once the World Cup is over and indeed to adopt the even more assertive approach to the mediation and the parties that may be necessary to resolve the crisis.

VI. CONCLUSION

Zimbabwe remains at risk from the long legacy of misgovernment that produced the interlocking political, economic and humanitarian crises of the past decade. In addition to the challenges of governance and security highlighted in this briefing, any of a wide range of problems, singly or in common, could return it to the edge of collapse, particularly as long as Robert Mugabe remains head of state and his long-time ruling ZANU-PF party maintains its intransigent stance. The reformist MDC, split into sharply opposed factions, has performed reasonably in government, but has not seized the impetus for reform that seemed possible after it gained a parliamentary majority in 2008.

⁹⁸ Crisis Group interview, senior official, South Africa international relations and cooperation department, Pretoria, 12 January 2010.

⁹⁹ Ibid.

¹⁰⁰ "Zuma pushes for early election", *The Zimbabwe Standard*, 10 January 2010.

¹⁰¹ "Zuma calls for Tsvangirai to be flexible", *The Pretoria News*, 15 January 2010.

¹⁰² Crisis Group interview, member, ANC national executive, Pretoria, 16 January 2010.

¹⁰³ Ibid.

¹⁰⁴ Crisis Group interview, Pretoria, 20 December 2009.

¹⁰⁵ Ibid.

¹⁰⁶ Crisis Group interview, Pretoria, 15 January 2010.

But despite its internal contradictions, the widely divergent ambitions of its three participating parties and the reluctance of donors to fully embrace it, the unity government has important achievements to its credit. The economy has gained a degree of stability, arbitrary political violence has been reduced, and a dialogue continues, with South African mediation, on the major political, constitutional and electoral issues. Even a bitterly divided ZANU-PF implicitly acknowledges the need for a generational change, and at least one of its two main contenders for Mugabe's mantle is well into exploration of ways to come to terms with the main MDC wing and the transition process.

South Africa's role remains vital, especially now that Jacob Zuma is bringing to it a more even-handed and energetic quality of engagement. Western governments need to offer complementary financial as well as political assistance, including the maintenance of targeted sanctions on the spoilers and the selective removal of corporate sanctions that stand in the way of economic growth. Above all, Zimbabweans themselves – both the parties in the inclusive government and broader civil society – must put the legacy of “divide-and-rule” politics behind them and learn basic lessons of cooperation essential for a successful democratic transition.

Harare/Pretoria/Nairobi/Brussels, 3 March 2010

APPENDIX A

MAP OF ZIMBABWE



APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters are in Brussels, with major advocacy offices in Washington DC (where it is based as a legal entity) and New York, a smaller one in London and liaison presences in Moscow and Beijing. The organisation currently operates nine regional offices (in Bishkek, Bogotá, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina and Tbilisi) and has local field representation in fourteen additional locations (Baku, Bangkok, Beirut, Bujumbura, Damascus, Dili, Jerusalem, Kabul, Kathmandu, Kinshasa, Port-au-Prince, Pretoria, Sarajevo and Seoul). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo,

Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Bangladesh, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, Russia (North Caucasus), Serbia and Turkey; in the Middle East and North Africa, Algeria, Egypt, Gulf States, Iran, Iraq, Israel-Palestine, Lebanon, Morocco, Saudi Arabia, Syria and Yemen; and in Latin America and the Caribbean, Bolivia, Colombia, Ecuador, Guatemala, Haiti and Venezuela.

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March 2010

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