

# RELOAD

ZIMBABWE'S ROADMAP TO ECONOMIC RECOVERY,  
LEGITIMACY, OPENNESS AND DEMOCRACY



**MOVEMENT FOR DEMOCRATIC CHANGE**





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## CONTENTS

Foreword	i
Defining a New Course for Zimbabwe	01
THE MDC's ROAD TO LEGITIMACY AND DEMOCRACY:	04
THE CASE FOR URGENCY	04
THE MDC'S FIVE POINT PLAN TO RESOLVE THE	
ZIMBABWEAN CRISIS	08
THE FIVE POINT PLAN	08
GUARANTEES AND SCAFFOLDING THE PROCESS	10
IMPLEMENTATION MECHANISM	10
<b>SECTION A</b>	<b>11</b>
INTRODUCTION: THE CRISIS IN CONTEXT	14
REIMAGINING A NEW ZIMBABWE	15
<b>SECTION B</b>	<b>17</b>
SUMMARY OF THE 5 POINT PLAN	17
ANCHOR A: THE RETURN TO LEGITIMACY AND RESPECTING	
THE WILL OF THE PEOPLE AND THE ELECTORATORAL PLAYING FIELD.	17
ANCHOR B: COMPREHENSIVE REFORM AGENDA	19
Political Reform	19
Legal Reform	21
Institutional reforms	23
Reforms and Key Milestones Towards Free, Fair and Credible Elections	24
Malpractices in the 2018 general election	25
Proposed Reforms	26
ANCHOR C: NATION BUILDING, PEACE BUILDING	
(NATIONAL HEALING, RESTORATION AND RECONSTRUCTION)	28
SHARED NATIONAL VISION	28
TRANSITIONAL JUSTICE AND NATIONAL HEALING	31
RESTORING TRUST, CONFIDENCE AND THE SOCIAL CONTRACT	32
ANCHOR D: THE ECONOMY AND THE SOCIAL AGENDA	33
ANCHOR E: INTERNATIONAL ENGAGEMENT	36
RE-ENGAGEMENT AND FOREIGN POLICY	36
<b>SECTION C</b>	<b>37</b>
IMPLEMENTATION MECHANISM	37
The Inclusive National Transitional Mechanism	37
Functions of the NTM	37
THE STRUCTURE OF THE NTM	38
THE LEGALITY OF THE NTM	39
NTM Roadmap	39
CONCLUSION	40

## FOREWORD

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*"If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven and heal their land".*

It is with great pleasure that we present our roadmap and signpost for the democratization of Zimbabwe and for the construction of a sustainable Zimbabwe following our successful congress that was held in May 2019.

It has become so clear to us that Zimbabwe is burning. That Zimbabwe is in the throes of a serious political and social economic crisis.

Under these circumstances it is important that we provide the necessary leadership to take our country forward.

There is no doubt that Zimbabwe is heading for an implosion. To avoid this implosion, we must take bold steps which require a new paradigm, a new narrative and a new discourse. This new trajectory involves pressure, it involves dialogue, it involves the implementation of a comprehensive reform agenda. Leadership is a huge responsibility which comes with a lot of risks and sacrifices. We are determined and committed to provide such leadership.

Hard and resolute decisions need to be taken today to save our country and to ensure that the country remains peaceful, stable, predictable and certain.

It is important that we push for a genuine transition, not a stalled one, to liberate our country from years and years of depressing cycles of exclusion, intolerance, conflict, hemorrhage, violence, poverty and economic retardation.

RELOAD is thus our humble contribution to a permanent solution to the Zimbabwean crisis.

For over 100 years our people have been fighting battles for liberation, emancipation and freedom.

It is time to put an end to this struggle by delivering a New Zimbabwe that is sustainable, just, green and equitable, the Zimbabwe we all imagine.

President Adv Nelson Chamisa  
July 2019



## DEFINING A NEW COURSE FOR ZIMBABWE

On the 24-27th of May 2019 the MDC held its watershed congress in Gweru under the theme Defining a New Course for Zimbabwe. It is in the context of defining a New Course for Zimbabwe that the MDC, took it upon itself to pursue need and obligation of a major paradigm shift in the struggle for democracy and emancipation.

We seek to RELOAD the Zimbabwean struggle for democratization to ensure that we create a shared national vision, one in which there is a national consensus, agreement tolerance and inclusive politics.

We seek once and for all to build strong, sustainable and truly independent institutions that will be the bedrock of a progressive Ethical State, a Democratic Developmental Zimbabwe.

More importantly because we recognize our unity and differences, it is important to rethink the State, to our manage diversity and create a functional modern Zimbabwe.

We face one fundamental crisis. The crisis of legitimacy. The crisis of governance. The crisis of confidence. The crisis of leadership. In essence, a political crisis. Zimbabwe has a huge trust deficit.

This crisis manifests itself in three main forms.

The first is the challenge of State capture, that is the complete dominion control and appropriation of the State and its institutions by an unelected and unelectable elite that directly and indirectly controls the State in the shadow of darkness through abuse of state apparatus.

The second challenge is indeed the economic meltdown caused by the crisis of governance, patronage, pervasive corruption, incompetence, cluelessness, policy inconsistencies, lack of capacity and self-induced policy distortions.

Corruption in Zimbabwe has become so endemic and so deep rooted that the country will never be able to move forward without its resolution. Zimbabwe corruption is byproduct of the endemic state capture through a complex web of cartels benefiting from the party, state military conflation. Addressing these cartels is an urgent imperator.

The third challenge is that of poverty and underdevelopment. Almost four decades after independence, our people wallow in huge poverty with 83% of the same, surviving below the poverty datum line on less than US\$0.35 per day. The majority is unemployed and the majority survives in the margins.

Given this reality, it is therefore important to redefine, the new agenda for our people, a new dialogue that seeks to create a new shared vision, and new set of reciprocal obligations in order to create sustainable Zimbabwe.

Five critical stages in the road-map to restore Zimbabwe to the path of progress:

- Identification and acceptance of existing challenges
- Recognition that the national crisis is multi-layered but that it is anchored in a failed politics. It manifests in layers of political, economic and social crises
- Recognition that the solution to the multi-layered crisis is a genuine joint political effort
- Planning to overcome the existing challenges
- Action, inclusive of sincere and genuine dialogue between political players and between political players and the people, to implement the plan

In order to create this New Zimbabwe we re-imagine, the transition needs to be controlled, managed and directed.

In managing our transition RELOAD thus presents our roadmap, and signpost for a future Zimbabwe. The road map entails five key signposts which are the following;

1. **Pressure (Political and Diplomatic):** Advocacy and mobilization of all progressive and democratic forces to build national consensus on the resolution of the national crisis.
2. **National Dialogue:** credible, bankable, legitimate process of dialogue fully guaranteed by the international community with specific deliverables, benchmarks and timelines through a mutually agreed and acceptable facilitator.

3. **National Transitional Mechanism(NTM):** Agreement on an implementing a framework on the agreed positions. This should be done through a national transitional mechanism whose terms in detail are to be agreed.
4. **Comprehensive Reform Agenda:** The implementation and rolling out of a comprehensive agenda, on the Five Point Plan detailed below.
5. **Free and Fair Elections:** Electoral reforms are so key to break the vicious cycle and trap of hugely contested elections which has arrested Zimbabwe in four decades. Zimbabwe must hold **free, fair, legitimate, credible and sound elections** under international supervision, pursuant to the comprehensive reform process.

The people of Zimbabwe are suffering and therefore it cannot be business as usual. RELOAD is the only agenda and roadmap that can create a soft landing for Zimbabwe.

### THE CASE FOR URGENCY

The resolution of the Zimbabwean crisis more than ever has become urgent. It is clear that a soft landing has to be created for Zimbabwe to avert an impending and inevitable implosion.

Two things, are the drivers of the urgency:

- 1.1 The betrayal of the people. Through a stolen election and a rigged mandate. Indeed there is unhappiness uncertainty, fragility anger and tribulation faced by the citizens of Zimbabwe. The crisis generate anger and tribulation, making it inevitable and foreseeable that the masses will exercise their constitutional right to protests as provided in Section 59 of the Constitution leading to an inevitable collusion with an overzealous and trigger happy executive.
- 1.2 The economic meltdown. In the short period Zimbabwe has regressed to the sad days of hyperinflation, shortages in particular spiraling fuel queues, bread shortages, an unresolved cash crisis, a crippling banking crisis at the back of an economic recession fast tracking into an economic depression.
2. The State is unstable. It is clearly fractured with obvious signs of internal implosion. It is being overwhelmed by the internal contradictions that created it.

The events of January 2019 prove beyond reasonable doubt that Zimbabwe faces a new challenge of securitization of the State and indeed the absence of Constitutionalism, the rule of law, unmitigated human rights violations, commission

of international crimes against humanity, mass killings, rape and mass trials and convictions.

In short one can rig an election but not rig the economy.

However, after January of 2019 it has become self-evident that connected to the crisis of legitimacy is now the key challenge of the militarization of the State, State capture and the absence of constitutionalism and the rule of law and more importantly the unmitigated violations of human rights, the commission of international crimes against humanity particularly extra judicial killings, rape and mass trials.

Events of January 2019 were triggered by Mr Emmerson Mnangagwa's announcement of a sharp 143 percent fuel price increase which led to a shutdown led and called for by the Zimbabwe Congress of Trade Unions.

In the days that followed, State security agents moved into the townships at the great cost of to civil and political liberties.

Zimbabwe's own Human Rights Commission made the following findings in respect of the January violence:

*The findings reveal that in the aftermath of the 14th of January 2019 disturbances, armed and uniformed members of the Zimbabwe National Army and the Zimbabwe Republic Police instigated systematic torture. The torture was organized in that they targeted men who stay near areas where barricades had been placed and near areas that were torched by*

*protestors or looted. They also targeted shared homes where they would round up many men in one homestead. In some instances it was also noted that those aligned to the Movement for Democratic Change were also specifically targeted for example Members of Parliament, Councilors and other active members.*

Amnesty International In its report titled” Open for businesses, Closed for dissent states the following

*“The crushing of dissent and crackdown on protests in Zimbabwe has continued, despite the first change of leadership in 2017. During and after a national stay-away in January 2019, at least 15 people were shot and killed by security forces, over 78 were treated for gunshot wounds, over 1000 were arbitrarily arrested and hundreds have been prosecuted in fast-tracked trials on charges of public violence or subverting a constitutional government. Civil society and political party activists have been targeted for exercising their right to freedom of expression, peaceful protest and assembly. Some women have been raped and children incarcerated after being abducted and detained in dragnet arrests across the country. This has resulted in fear gripping Zimbabwe, with many civil society leaders going into hiding for their protection.”*

In this detailed report Amnesty also finds the following:

1. Unlawful killings and excessive use of force by the police and the military
2. Torture, cruel, inhuman or degrading treatment
3. Mass and widespread arbitrary arrests
4. Unconstitutional deployment of the military
5. Civil society leaders targeted



6. Targeting of opposition MDC members
7. Threats to the national human rights commission
8. Arbitrary restriction on public assembly
9. Suspension of the internet and suppression of information

In the context of this, it cannot be business as usual.

The MDC plan, RELOAD, recognizes the urgency of resolving not only the crisis of legitimacy. The need to ensure that constitutionalism and the rule of law are upheld in particular an urgent and sure return to democracy. There is also need to ensure that state security agents remain in barracks and police cantonments performing their constitutional mandate and not encroaching on the rights of citizens on the political front.

The MDC's Road to legitimacy and democracy recognizes that at the epicenter of the Zimbabwe's crisis is the crisis of legitimacy. That being so, the MDC calls for urgent national dialogue based on the following five anchors to legitimacy.

RELOAD also recognizes the importance of the demilitarization of the country, the return of the rule of law constitutionalism, the need to protect the security of the person as well as upholding, the constitution.

### THE FIVE POINT PLAN

- (1) The return to legitimacy, demilitarization and agreement on a roadmap to such a change
- (2) Agreement on a comprehensive reform platform and agenda
- (3) Agreement on resolution of the economic and humanitarian crisis
- (4) Resolution on the agenda of nation building, national healing and the resolution of the social contract.
- (5) International reengagement and ending Zimbabwe's isolation and the integration in the international community.

The above issues need urgent resolution in view of the continued reproduction of contestation conflict and attrition in Zimbabwe.

The State is in crisis. The Zimbabwean State is captured by a parasitic and predatory political elite.

The Zimbabwean state is characterized by the following, illegitimacy, militarization, violence and absence of the rule of law, patronage, capture, a collapsed economy and elite rapture.

In short for all intents and purposes, the Zimbabwean State has gone rogue and predatory.

Thus in RELOAD, the return to legitimacy must not only involve dialogue on the above angles but also on the following;

1. **Pressure (Political and Diplomatic):** Advocacy and mobilization of all progressive and democratic forces to build national consensus on the resolution of the national crisis.
2. **National Dialogue:** credible, bankable, legitimate process of dialogue fully guaranteed by the international community with specific deliverables, benchmarks and timelines through a mutually agreed and acceptable facilitator.
3. **National Transitional Mechanism:** Agreement on an implementing a framework on the agreed positions. This should be done through a national transitional mechanism whose terms in detail are to be agreed.
4. **Comprehensive Reform Agenda:** The implementation and rolling out of a comprehensive agenda, on the Five Point Plan detailed below.
5. **Free and Fair Elections:** Electoral reforms are so key to break the vicious cycle and trap of hugely contested elections which has arrested Zimbabwe in four decades. Zimbabwe must hold free, **fair, legitimate, credible and sound elections** under international supervision, pursuant to the comprehensive reform process.

The above agenda and roadmap must be anchored on three critical imperators

- a) Inclusivity and involvement of the people of Zimbabwe through the key organizations that represents them these include political parties and civic society organizations.
- b) The scaffolding of the entire process, including of the guaranteeing and underwriting of the same by the international community
- c) Agreement on determined timelines and sunset clauses to ensure that the agreement is Specific ,Measurable ,Achievable ,Relevant and Time framed(SMART).

### IMPLEMENTATION MECHANISM

If there is agreement on the above, we propose that there be an implementation mechanism known as the National Transitional Mechanism (NTM). The NTM will address the following issues;

- i. Political, Institutional and structural Reforms
- ii. Nation building and national reconstruction;
- iii. Dealing with securocratic state and demilitarization
- ii. Restoration of the socio-contract including attending to the agenda of national healing and transitional justice;
- iii. Stabilizing the economy including resolution of the debt crisis;
- iv. Constitutional reform
- v. Legal reform and harmonizing the country's laws to the constitution
- vi. Electoral reform
- vii. Media reform
- vi. Dealing with state capture and the independence of institutions including the judiciary
- ix. Implementing and executing devolution in Zimbabwe
- x. Attending to the challenges of international re-engagement
- xi. Attending to the social and humanitarian agenda focusing on vulnerable and marginalized groups.

This is the solution to the Zimbabwean crisis.

1. In nearly four decades after independence, Zimbabwe remains trapped in serious structural crises of legitimacy, under development, poverty and political uncertainty.
2. Over these years, the Zimbabwean State has remained one driven by the self-serving agenda of patronage, coercion and capture.
3. November 2017, offered a great opportunity for reversal of decades of years of stranded growth, inertia and authoritarianism.
4. Regrettably, months down the line, it is self-evident to all that Zimbabwe has remarkably regressed and now has new challenges including that of elite rapture and elite dis cohesion which make inevitable the real possibility of another implosion.
5. The November 2017 military involvement, brought to the fore, the fresh challenge of legitimacy and internal contradictions within the State which all right thinking Zimbabweans thought would be resolved by the election held on the 30<sup>th</sup> of July 2018.
6. The July 2018 election, did not resolve the crisis of legitimacy. It exacerbated the crisis. It was an election that did not pass the time less scrutiny of legitimacy and has rightly been rejected by virtually all international election observers. Key statements of rejection having been made by various international organizations including the Common Wealth Observer Mission, the European Union Observer Mission and the US-Zimbabwe Election Observer Mission (ZEOM).
7. Since that election, it is clear that the economy has collapsed and is in the process of an unprecedented meltdown.



**Figure 1** Source: ZimDaily

8. This is in the backdrop, of a State that is now so blatantly violent and predatory.
9. The events of the first of 1<sup>st</sup> of August 2018 wherein the military killed 6 citizens and indeed the events of January 2019 where 19 people were killed and many raped show beyond reasonable doubt that the Zimbabwean State will use violence and every legal and extra-legal means to pursue the agenda of power retention.
10. Those events show beyond reasonable doubt that Zimbabwe has sunk back to the old days of the 1980s, where crimes against humanity were committed against an unarmed civilian population with impunity and without a response from a large section of the regional community.
11. It is now self-evident that resolving the Zimbabwean crisis must go beyond formal civilian reform including the media reforms and

mundane aspects that can be found in a reasonably stable and democratic country. **Zimbabwe is not normal.** The events of January 2019 prove beyond reasonable doubt that Zimbabwe is a militarized State.

12. Thus the required reform must cut deep to ensure that the security of the citizen is secured, democracy is guaranteed, constitutionalism and the rule of law are upheld. Most importantly to ensure that the Zimbabwean citizen can have the right to choose a government of their choice.
13. The MDC through this document proposes an urgent solution to the current crisis.
14. It is one that is focused on dialogue, comprehensive dialogue to address the following issues:-
  - (i) The crisis of legitimacy and years of cycles of rigged and stolen elections.
  - (ii) The capture of State institutions and indeed the emasculation of bodies that protect the rule of law, the Constitution and constitutionalism.
  - (iii) The blatant and open securitisation of the State.
  - (iv) The use of violence, and fear as a political weapon and the constant attacks on the MDC leadership, and the continuous closure of political space in the country.
  - (v) Patronage, and the emergency of neo-patrimonial State where a few elites, sit on the commanding heights of corruption infrastructure in this country particularly the control and corruption around minerals (diamonds, chrome, gold, platinum, the massive fuel industry and foreign currency and Command Agriculture as a vehicle of patronage, the use and abuse of State

enterprises as vehicles of corruption.

- (vi) Control and abuse of the State and wanton over expenditure in the State
- (vii) Systematic economic collapse and the huge meltdown accelerated deeply after 1 October 2018.
- (viii) Accelerated poverty and impoverishment of the Zimbabwean people.

15. As the MDC we therefore propose that there be discussion on dialogue on the five key issues:-
  - (i) The challenge of legitimacy, militarization and agreement on a roadmap to legitimacy.
  - (ii) Agreement on a comprehensive reform platform and agenda
  - (iii) Agreement on resolution of the economic crisis
  - (iv) Agreement on the agenda of nation building, national healing and the ready establishment of the social contract
  - (v) Ending Zimbabwe's isolation and reintegration in the international community
16. Should there be agreement on the above, then there must be an implementation mechanism.
17. In this regard, we propose the setting up of the National Transitional Mechanism that should oversee the reform agenda in a meeting from the discussions.
18. The National Transitional Mechanism will derive legitimacy from all corners of Zimbabwe and will have the mandate of governing the country to the next election whilst attending to the reform agenda and most importantly preserving the peace and order of Zimbabwe to avoid yet another implosion.



## **RE-IMAGINING A NEW ZIMBABWE**

19. There is a crisis in Zimbabwe. That crisis has existed for nearly four decades.
20. In our view, it cannot be business as usual. The State and its citizens, must find a way of reconstructing and repacking the narrative from one of politics of patronage and violence to one of transformation, renewal, restoration and reconstruction of Zimbabwe.
21. In our 2018 election blueprint, SMART, we argued for the rethinking of the Zimbabwean's State.
22. In rethinking the State, we propose to provide an alternative people driven leadership and strategic direction of our country.
23. We propose to fundamentally alter the governance of our country.
24. We are committed to creating a new Zimbabwean's State in which power was shared and devolved through the country.
25. We proposed to create a tolerant competent and consulting State in which power is accountable to the citizens. In this regard, we propose the following:-
  - (a) Restoration of the rule of law and respect of property rights
  - (b) Restoring the social contract
  - (c) Creation of a consensus and Consulting State
  - (d) Implementation of devolution and decentralization of the State
  - (e) Rebuilding the country's economy,
  - (f) Urbanization of rural areas, development of urban areas
  - (g) Addressing social justice and social deliverance
  - (h) Protecting citizen's rights, minority interest and vulnerable groups
  - (i) Reconstruction and remodeling of the country's infrastructure.



**Figure 2**Source SMART

26. We believe that the imperator of rethinking Zimbabwe, redefining Zimbabwe and setting Zimbabwe on a trajectory of economic upliftment and transformation, democratization, constitutionalism and rule of law, remains the most important goal of every Zimbabwean.
27. This is why in our SMART document our national vision was captured as follows:-

*“to make Zimbabwe an inclusive, socially just, prosperous, tolerant, transformative, modern, advanced, efficient and democratic developmental state in which people have equal opportunities to pursue happiness”*

28. We however recognize that the above vision, given the reality of the present moment, requires, a transitional phase in respect of which major reforms are carried out before Zimbabwe is on a sound footing of transformation, modernization, democratization and upliftment.

**ANCHOR A: THE RETURN TO LEGITIMACY AND RESPECTING THE WILL OF THE PEOPLE AND THE ELECTORAL PLAYING FIELD.**

29. At the epicenter of the crisis in Zimbabwe is the issue of legitimacy. Since independence in 1980, virtually every election that Zimbabwe has gone through has been contested. Elections have become a sore point, elections have become a point of division, elections have become a basis for exclusion.
30. The events of November 2017 brought to the fore the challenge of legitimacy. After November 2017, we had a regime that was now governing Zimbabwe but did not derive its mandate from the people of Zimbabwe through elections. Regrettably the July 2018 election did not resolve the legitimacy challenge. A country can never be run without the popular consent of its citizens.
31. Where there is no consensus and agreement on those that are governing a country, there can never be state effectiveness.
- It therefore means beyond a shadow of doubt that the social and economic crisis unfolding in Zimbabwe largely stems from the lack of confidence and trust from the ordinary citizens against those that have usurped power.
- It is therefore key to resolve the crisis of legitimacy by answering the following questions:
1. Who won the July 2018 election
  2. How does Zimbabwe prevent the vicious cycle of stolen and rigged elections
  3. How does Zimbabwe create an inclusive ,impartial dispute settlement machinery that leaves opponents united and with a common vision for Zimbabwe



**Figure 3 Source: Reuters**

32. To bring the country to legitimacy and normalcy key steps have to been taken.
  - A. Recognition of true outcome of the 2018 General Elections
  - B. An Inclusive National Transitional Mechanism
  - C. Implementation of comprehensive reform agenda and key election milestones.
33. Legitimacy is derived from the governed. That the nation is sure and confident that the results announced by the Zimbabwe Electoral Commission do not resemble the true outcome of the election is the source of illegitimacy.
34. In order to move the country forward, Mr. Mnangagwa has to recognize that he did not win the election as purported by ZEC but instead, that the MDC leader Advocate Nelson Chamisa won the Presidential election.



Figure 4 Source: The Zimbabwean

1. It is important to answer questions around the winner of the 2018 Presidential Election to avoid such questions ever arising again in our political discourse.

## ANCHOR B: COMPREHENSIVE REFORM AGENDA

### Political Reform

35. Dialogue must address political reform. Some of the challenges the country faces derive from the political system. Although the 2013 Constitution introduces mechanisms to enhance representation at national and local level. The state still needs to be democratized and aligned with constitutional principles of accountability, transparency and good governance. A few questions still need to be addressed.

- (a) Key issues for political reform
- i. Develop an inclusive National Vision accepted by all stakeholders
  - ii. Actualising, enforcing and fulfilling the Constitution to ensure that not only does the country have a Constitution but Constitutionalism
  - iii. Implementing devolution and decentralization of the state
  - iv. Ensure the independence key State Institutions in particular the Judiciary and Chapter 12 institutions specifically the Human Rights Commission, Anti-Corruption Commission, the Gender Commission
  - v. Creating a consensus State in respect of which the citizen is not living in fear and leaders are held accountable.
  - vi. Dealing decisively with the infrastructure of violence and intolerance that permeates the Zimbabwean political landscape.
  - vii. Implementing and executing a program of National Healing, Transitional Justice, Reconciliation and Truth telling.
  - viii. Reconsider the size and restructure the country's government
  - ix. Renaming the country's provinces
  - x. Reconsider size and effectiveness of Parliament
  - xi. Reconsider the role of traditional leaders
  - xii. Consider the role of the official opposition
  - xiii. Fostering political tolerance
  - xiv. Inclusive governance
  - xv. Reconsidering the electoral system
  - xvi. Reorient the political system in line with the constitutional dispensation
  - xvii. Role definition and role clarity for security agents.

xviii. Reorienting intelligence service towards national development and enacting on enabling law for the intelligence services in line with the Constitution.

### **xix. Corruption**

Zimbabwean corruption is endemic and it's putting a social cost to the country's development in addition to making Zimbabwean a very unequal society characterized by low trust an high cost. State capture, and extractive institutions, has allowed cartels to operate in virtually every sector of the economy. These cartels are reproducing themselves in six key areas of the economy namely;

- 1) the foreign exchange, US Dollar cartels whose heart beat are the shadow activities of the central bank
- 2) Commodities in particular diamonds, platinum, chrome and gold.
- 3) Fuel
- 4) Command agriculture
- 5) Infrastructure projects particular in transport (ZINARA), energy contracts, construction and communications.
- 6) State procurement (equipment, drugs, vehicles, stationary, furniture, computers etc.)

### **Legal Reform**

37. The 2013 Constitution of Zimbabwe brought much expectation for constitutionalism. This particularly targets the legislative reform agenda that has thus far been neglected. Constitutionalism requires that all law or conduct be aligned to the Constitution. Dialogue must address a comprehensive legislative agenda that aligns all laws with the Constitution. The list of the laws that require alignment is quite long.

## Key legislative reform areas

- i. Harmonizing Zimbabwe's laws to the Constitution
- ii. Comprehensive Electoral reforms
- iii. Enactment of a comprehensive law dealing with devolution and decentralization of the State
- iv. A comprehensive law dealing with the land question and actualizing the issues raised in Chapter 16 of the Constitution of Zimbabwe.
- v. Transforming the security sector through enactment of a law dealing with the National Security Council, the depoliticisation of the military, the transparency of the intelligence agency and the establishment of the complaints mechanism defined in the section 210 of the Constitution.
- vi. Drafting a people and rights centred public order law to replace POSA.
- vii. Enacting a comprehensive media law replacing the various media laws including the Broadcasting Services Act and AIPPA.
- viii. Drafting a comprehensive law dealing with devolution.
- ix. Drafting a comprehensive law dealing with climate change and environmental protection.
- x. Revisiting all labour and employment legislation in Zimbabwe to ensure harmonization of the Constitution, harmonization of all labour laws and safeguarding the rights to collective job action and cementing ILO conventions.
- xi. Ratifying all instruments that Zimbabwe has acceded to including a convention against torture.
- xii. Amending the laws to ensure that all international instruments are acceded to and ratified by Parliament become part of domestic law.



- xiii. Revisiting the Traditional leaders Act
- xiv. Enacting social legislation dealing with rights of women, children, minorities and people living with disabilities.

## **Institutional reforms**

- 38. The Constitution creates a number of institutions to strengthen democracy and implement constitutional governance. However, most of the institutions are either incapacitated or captured to fully discharge their mandate. All the Chapter 12 & 13 institutions must be strengthened and the implementation of devolution of power must be urgent to ensure even development with decision making vested in devolved tiers and spheres.

### ***Target institutions for reform***

- i. Judiciary
  - ii. All Commissions
  - iii. Reserve Bank of Zimbabwe
  - iv. Security Sector
  - v. Public Media
  - vi. State Enterprises
  - vii. Parliament
  - viii. Traditional leaders
  - ix. Local authority structures
- 39. Political, legal and institutional reforms are key in delivering sustainable good governance.

## Reforms and Key Milestones Towards Free, Fair and Credible Elections

40. Free, fair and credible elections are the primary basis for legitimacy and the only formula to return the country to normalcy. However, elections must meet certain key constitutional and international standards.

(i) *Constitutional Standards*

41. The Zimbabwean Constitution in Section 156 on the conduct of elections and referendums states that:

*“At every election and referendum, the Zimbabwe Electoral Commission must ensure that—*

*(a) Whatever voting method is used, it is simple, accurate, verifiable, secure and transparent;*

*(b) Appropriate systems and mechanisms are put in place—*

*(i) To eliminate electoral violence and other electoral malpractices; and*

*(ii) To ensure the safekeeping of electoral materials.*

42. Section 155 (2) (c) clearly states that;

*“(2) The State must take all appropriate measures, including legislative measures, to ensure that effect is given to the principles set out in subsection (1) and in particular, must—*

*(c) Ensure that all political parties and candidates contesting an election or participating in a referendum have reasonable access*

*to all material and information necessary for them to participate effectively”*

43. Whilst Section 62(1) is unambiguous and it states;
- “(1) Every Zimbabwean citizen or permanent resident, including juristic persons and the Zimbabwean media, has the right of access to any information held by the State or by any institution or agency of government at every level, in so far as the information is required in the interests of public accountability”*
44. Our supreme law clearly envisages a simple, accurate, verifiable, secure and transparent election.

### **Malpractices in the 2018 general election**

45. The 2018 general elections were marred by a series of electoral malpractices by the Zimbabwe Electoral Commission. Among other clear violations we observed and flagged are—
- I. Various illegalities around candidate nomination
  - II. ZEC refusal to distribute the BVR Voters Roll
  - III. Absence of proper ballot printing observation and inspection
  - IV. Illegal, manipulated and biased ballot paper design
  - V. Wanton lies by ZEC around ballot printing process
  - VI. Shambolic postal voting
  - VII. Sharing of confidential voter information between ZEC and Zanu–PF
  - VIII. Clear indications that someone else and not ZEC was in charge of the election

- IX. ZEC refusal to afford candidates an audience
- X. ZEC lack of transparency and sheer arrogance
- XI. Partisan behavior by the ZEC Chairperson
- XII. ZEC's incapacity to ensure compliance by all candidates
- XIII. Abuse of state resources for campaign
- XIV. Unregulated samples of ballot papers found before elections
- XV. Failure to affix a copy of the polling station return on the outside of the polling station
- XVI. Irregular collation and verification of results at National Command Centre
- XVII. Irregular announcement of presidential results
- XVIII. Mixture of harmonized election residue

## **Proposed Reforms**

- I. The disbanding of the current Zimbabwean Electoral Commission (ZEC), including the dismissal of all current Commissioners as well as all the retiring of all members of Staff under the Zimbabwe Electoral Commission Secretariat consequence the negotiation and agreement on a new Zimbabwe Electoral Commission including the Commissioners and the staff.
- ii. Amending the Electoral Act if not the Constitution to ensure that the date of the election is more or less fixed in the law, for instance, the election could be held in the last Monday of the month of July after every 5 years.
- iii. The creation of an authentic biometric voters' roll properly audited and signed off by all stake holders

- iv. The introduction of modern automated biometric voting and the automation of all electoral processes.
- v. Consensual, negotiated and agreed process on delimitation to avoid gerrymandering and manipulation of boundaries.
- vi. Agreement on all election material including on the nature and quality of the ballot paper, the printers thereof and the numbers to be printed.
- vii. Advance release of polling officers names for transparency purposes and to avert planting.
- viii. Agreement on the ink to be used, where it will be sourced and test for indelibility.
- ix. Election residue, in the event of an election, should be kept in separate boxes for President, House of Assembly and Council.
- x. Full disclosure of the printers and print run of the ballot paper.
- xi. Amending the electoral act on the issue of presence of police officers inside polling stations as well as the issue of assisted voters.
- xii. Amending the Electoral act to ensure that all election results are announced forthwith and in any event no later than 48 hours from the date of the vote.
- xiii. To complete de-securitization of election institutions and the electoral process, including the exclusion of Zimbabwe's security sector from managing Zanu-PF's election campaign.
- xiv. Provision for Zimbabweans residing in the Diaspora to vote in the election.

- xv. Media reforms allowing for equal access to public media by all contenders in the election.
- xvi. The enactment of major amendments to the Electoral Act and the repealing of restrictive laws such as: the Public Order Security Act (POSA); Access to Information and Protection of Privacy Act (AIPPA); the Broadcasting Services Act (BSA)
- xvii. Allowing entry of international monitors and supervisors at least 3 months before the 2018 election and provision for the SADC and the United Nations to supervise the poll
- xviii. Absence of violence and intimidation before, during and after the election
- xix. Political impartiality of traditional leaders, including abolition of politicized food aid in election campaigns.

## **ANCHOR C: NATION BUILDING, PEACE BUILDING (NATIONAL HEALING, RESTORATION AND RECONSTRUCTION)**

### **SHARED NATIONAL VISION**

- 46. It is important for Zimbabwe to have a shared national vision that becomes the glue of the nation State. Such a shared national vision must be based on the need to create a **Martenalistic State, an Ethical State** in which there is responsibility, accountability and most importantly reciprocal obligations.
- 47. The shared national vision must also be the developmental taking into account the huge levels of poverty and underdevelopment in Zimbabwe.
- 48. The vision must be one of upliftment of the masses of Zimbabwe that live in poverty. It must be one for the modernisation and transformation of Zimbabwe.

## **Nation Building**

49. Any stable nation is united in its diversity by a set of core values, principles, traditions, traits, and characteristics that transcend culture and geography. Nationhood encapsulates the collective imagination of a people, united by common values, desires and aspirations.
50. It was this collective imagination that spurred thousands of Zimbabweans to participate in the national liberation project, culminating in independence in 1980. The tragedy is that having led the liberation struggle, the nationalists failed in the nation-building project. Instead, they preached unity while pursuing narrow agendas that divided people on class, racial, tribal, gender, cultural, religious and other grounds.
51. Instead of building a nation, the founding fathers privatized the State. Many citizens, including the Diaspora, so-called “aliens” and the poor feel excluded and unwanted.
52. Despite attempts to articulate some principles and values in the 2013 Constitution, there is still a lot of work to be done to integrate them into society so that they are an essential part of the social fabric.
53. The MDC will push for the nation to embark on a comprehensive on a comprehensive and broad-based nation-building project based on unity, diversity, tolerance, recognition and correction of past injustices and the pursuit of social and economic progress for all.

## Human dignity

Section 51 of the Zimbabwean constitution protects and guarantees the inherent right to dignity for every person in their private and public life. Dignity, is the sum total of all the human rights that a human being poses. Dignity is human worth or inherent human worth.

The Zimbabwe we envisage and reimagine must therefore be the best on the key value of human dignity, Ubuntu, hunhu.

Placing Ubuntu at the epicenter of the state values necessarily entails the creation of reciprocal obligations that are so key a structural to the establishment of the maternalistic state.

The liberation struggle and veterans

Despite devaluation, and privatization, the liberation struggle, remains an important expression of sacrifice for the greater good.

Young Zimbabweans in their thousands sacrificed their lives for freedom and thousands died in the process.

We identify liberation values as being those of sacrifice, service, altruism, justice and liberty.

Therefore the term “liberation values” captured in the Zimbabwean constitution must be given life and meaning which at the end of the day translates to human dignity.

Equally veterans of the struggle should not be reduced to being partisan.

They deserve the dignity and respect that must be afforded to all national treasures.



## TRANSITIONAL JUSTICE AND NATIONAL HEALING

54. Conflict, attrition and intolerance have contributed to the erosion of the Zimbabwean economy. To reclaim Zimbabwe, mechanisms must be created that eradicate political violence. There have been so many injustices over the years, the wounds of which have never healed. Top-down approaches have suppressed the voices of survivors and victims. In order to move forward, wrongs of the past must be corrected, but in an inclusive, just and non-vindictive way. The future must not be a prisoner of the past, but equally so, past grievances must not be sacrificed at the altar of future dreams.
55. The MDC identifies six key periods of violations:
- i. The Liberation Struggle
  - ii. The Gukurahundi
  - iii. Violence and dispossession associated with the Land Reform
  - iv. Operation Murambatsvina (2005 Clean out operation)
  - v. Political Violence associated with all our elections including in particular the 2008 elections.
  - vi. Post November 2017 violence including August 2018 and January 2019.
56. A comprehensive Programme of Transitional Justice and National Healing based on the following principles:
- i. Victim-centered approach
  - ii. Comprehensive, inclusive, consultative participation of all stakeholders, particularly survivors and victims.
  - iii. The duty and obligation on the State to apologize for all atrocities.

- iv. The establishment of confessions, truth telling and truth seeking.
- v. Acknowledgement of wrong doing.
- vi. Justice, compensation and reparations.
- vii. National healing and reconciliation
- viii. Non-repetition (NEVER AGAIN).
- ix. Gender equity and gender sensitivities.
- x. Transparency and accountability.
- xi. Nation building and reintegration.

- 57. It would be imperative to prepare a comprehensive programme for transitional justice one which affords victims the opportunity to speak up and also to receive individual or social or communal compensation
- 58. The problem of transitional justice must bring closure and justice to both the victim and the perpetrator. In this regard the issue of healing, reconciliation, forgiveness, and amnesty where appropriate and necessary will be key issues for closure.

## **RESTORING TRUST, CONFIDENCE AND THE SOCIAL CONTRACT**

- 59. The lack of confidence and trust in the State, and, of course, the failure of the State itself to meet its social obligations to its citizens, results in the majority of its citizens operating outside the ambit of the State.
- 60. Equally, trust among citizens has been eroded. This is the case even at the family level, in religious institutions, social organisation and civic society.
- 61. Zimbabwe's economic collapse has triggered a rise in social decay at various levels. Challenges at the family level are reflected by the high number of

cases of divorce, domestic violence and peace orders that are being granted by the courts. Levels of tolerance are low, whilst hatred and disaffection on social media spaces flourish.

- 62. Seemingly, as Zimbabweans, we cannot manage our differences and the slightest difference can easily degenerate into verbal tirades and even violence.
- 63. Poverty has also exacerbated the problems. Crimes of necessity and substance abuse are on the increase especially among young and the unemployed youths.
- 64. Ultimately, total confidence in the State will be restored when we build a shared and inclusive Zimbabwe based on transformation and the opening of opportunities for prosperity.

#### **ANCHOR: THE ECONOMY AND THE SOCIAL AGENDA**

- 65. The economic crisis has worsened after the 2018 elections a continuation of the trend synonymous of the Mugabe era, the post-coup era or even worse.
- 66. The pursuit of a confused monetary policy that has shifted from the regime of multiple currencies, the introduction of the Bond Note, the introduction of the Nostro FCA's in October 2019, the partial liberalization of the currency in February 2019 and eventually the dedollarisation in June 2019 have all created a concoction that have paralysed ordinary Zimbabwe's business and indeed the international community.

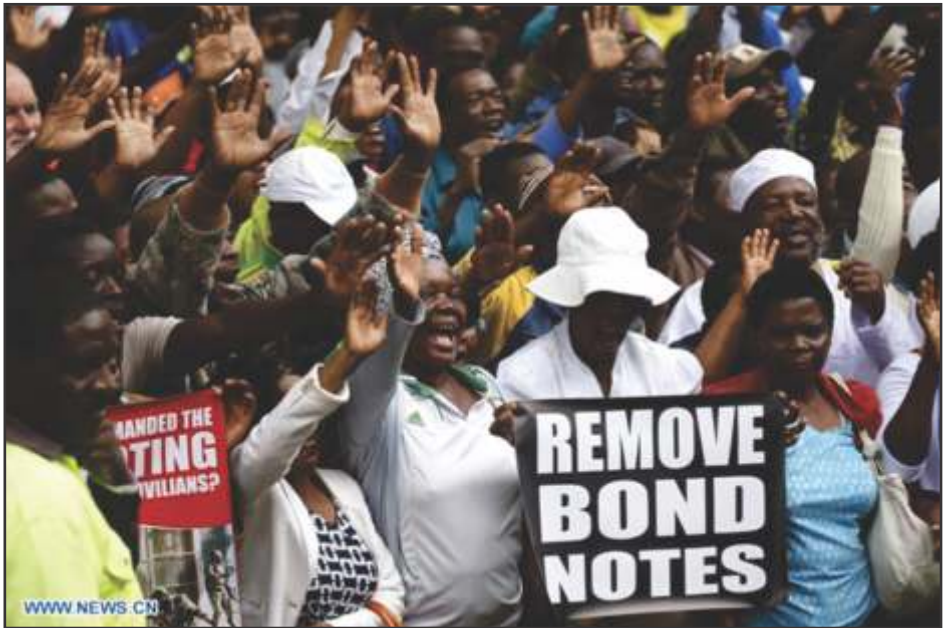


Figure 5 Source News CN

67. An expansionary fiscal policy is still the order of the day, the liquidity crisis continues all this is coupled by centralized monetary confusion.
68. ZANUPF has failed to inspire confidence beyond the promises of mega deals.
69. More disturbingly international financial institutions in particular the International Monetary Fund, continue to pay a blind eye to the economic chaos in Zimbabwe and on the contrary have become a choir boy for the economic cannibalism and sabotage being pursued by the authorities in Zimbabwe.

70. At the same time there is massive poverty and deligitimisation of the ordinary Zimbabweans in the absence of safety nets and a programme that deals with the social sectors particularly in the areas of education, health, environment and vulnerable sectors such as people living with HIV/Aids, people living with disabilities, widows, orphans and the aged.
71. Zimbabwe has also suffered from the vicissitudes of climate change, cyclone IDAI and other previous cyclones and indeed the droughts that are wrecking havoc in Zimbabwe.
72. We propose therefore that the NTM deals with the following issues as a matter of urgency.
- i. Producing and implementing an emergency economic recovery plan.
  - ii. Macroeconomic stability and sound governance of the economy.
  - iii. Demonetizing the bond note, reverting to the multi-currency regime and in the long term join the rand monetary union.
  - iv. Liberalization of the capital account.
  - v. Supply side solutions including Industrialization, Productivity, Savings and Foreign Direct Investments.
  - vi. Dealing with the debt question once and for all.
  - vii. Laying a foundation for agro–industrial transformation.
  - viii. Changing the accumulation model from extraction to beneficiation.
  - ix. Gross capital formation.
  - x. Expediting State Owned Enterprise (SOE) Reform.

- xi. Ring fencing social services, creating social safety nets including cash handouts as well as mobilizing a strategy and resources against the pervasive climate change.
73. In order to do this, the MTN should ensure the establishment of stabilization fund and a sovereign world fund

## **ANCHORE: INTERNATIONAL ENGAGEMENT**

### **RE-ENGAGEMENT AND FOREIGN POLICY**

The MDC NTM must pursue a foreign policy in respect of which Zimbabwe remains non-aligned and will seek to make friends with every decent State in the world that shares its values of democracy, Constitutionalism, socially just transparency, openness and inclusivity.

In this regard we suggest the following:

- i. Strengthen our membership of the AU and the SADC
- ii. Seek for the strengthening ,modernization and institutionalization of the AU and SADC
- iii. Strengthen our membership as a responsible citizen of the UN.
- iv. Re-join the Commonwealth of Nations.
- v. Pursue African integration through the establishment of a customs and monetary union.
- vi. Pursue strong relations with the EU within the context of the EU/ACP matrix.
- vii. Ensure that Zimbabwe plays a role in conflict prevention, and peacekeeping missions across the world.

### **The Inclusive National Transitional Mechanism**

74. The path to Zimbabwe's total recovery requires the inclusive participation of all relevant stakeholders. The Inclusive National Transitional Mechanism will be responsible for implementing the key milestones towards the holding of free, fair and credible elections in line with the Constitution of the country and in the meantime stabilize the economy and the political environment.

### **Functions of the NTM**

- i. Implementing the comprehensive reform agenda
  - ii. Nation building and national reconstruction;
  - iii. Restoration of the socio-contract including attending to the agenda of national healing and transitional justice;
  - iv. Stabilizing the economy including resolution of the debt crisis;
  - v. Constitutional reform
  - vi. Legal reform and harmonizing the country's laws to the constitution
  - vii. Electoral reform
  - viii. Dealing with state capture and the independence of institutions
  - ix. Implementing and executing devolution in Zimbabwe
  - x. Attending to the challenges of international re-engagement
  - xi. Dealing with the securocratic state and demilitarization
75. The NTM must be in office for an agreed period of time. To avoid the mistakes made during the time of the GNU, the duration of the NTM, must be to allow, all the agreed reforms to be fully implemented and actualized. Any premature revisiting of the NTM without reforms being done will only set up Zimbabwe for failure.

76. At the end of the NTM there must be a general elections to be held under international supervision.

## THE STRUCTURE OF THE NTM

1. The NTM must be an inclusively negotiated process, that being so, the MDC cannot and will not prescribe a structure of an NTM.
2. Save to state that the NTM will assume the roles of the executive defined in Chapter five of our constitution during its tenure.
3. This therefore means that all Executive Wings of the state including the security apparatus will totally be subordinate to the NTM.
4. Furthermore it is our view that the NTM should be composed of competent and credible leadership, leaders of a good standing.
5. The leaders of the NTM must be drawn from all walks of life including industry, the Diaspora, churches, social movements, labour and organised civil society with women's movement and the youth movement as the youth who make up the at least 65% of the population..
6. The NTM must be an office for an agreed period and must ensure that it carries out all the necessary and critical components of the comprehensive reform agenda to avoid yet another stalled or derailed transition. Upon its expiration, the national election must thus be held under international supervision.
7. The NTM must be in office for a maximum period of 2 years, where-after elections shall be held, under its supervision.
8. The creation of the NTM will require ***national consensus*** among all stakeholders.
9. In addition to the above, SADC and AU must help in the negotiations on the setting up of the NTM and at the same time must provide a guarantor and play an oversight role over the same.

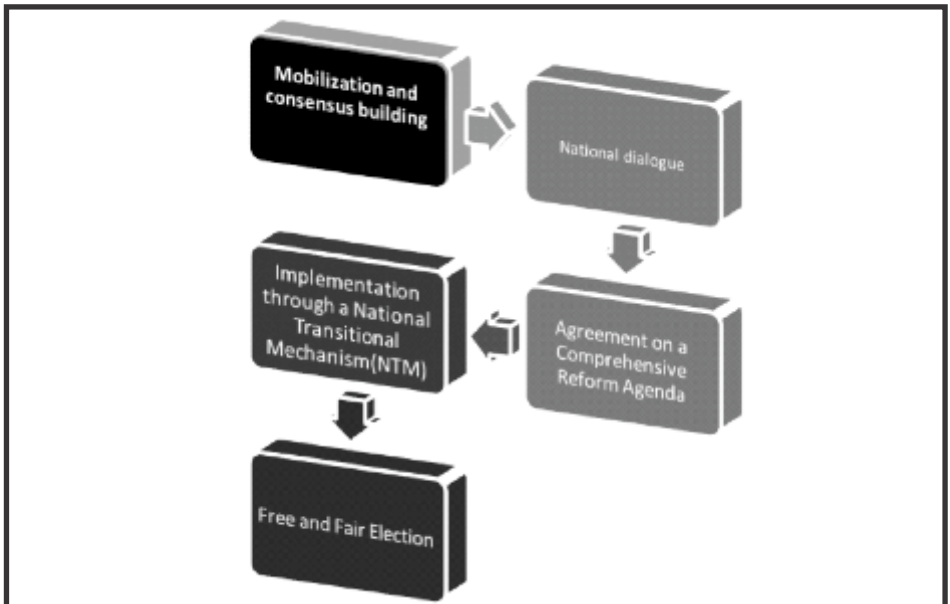


## THE LEGALITY OF THE NTM

10. To the extent that the NTM is an inclusive negotiated settlement, the dominant parties in Parliament namely ZANUPF and the MDC, agree on a legal framework to actualize the same.
11. Once the support of all stakeholders is obtained an amendment to the constitution in the form of a schedule will easily set up an NTM.

## NTM Roadmap

12. For the NTM to be a reality, the citizen plays the biggest role.
13. It is the citizen that possesses the power to demand from the failed authority the establishment of the NTM.
14. The MDC will also put pressure, the international community must also encourage those in power who must also make the right decision
15. As such, the following happen:



## CONCLUSION

77. Dialogue is a critical solution to the current political impasse. Such dialogue however should be based on key issues that address the challenges currently faced by Zimbabwe. It is a dialogue of issues and not personalities. It is a way by which stakeholders can come together and address national concerns in the spirit of nation building. Dialogue must be based on the urgent return to legitimacy and normalcy; national healing and nation building; a comprehensive reform agenda; an end to international isolation; and resolving the national humanitarian and economic situation. The MDC is prepared to engage all stakeholders and Zimbabweans across the political divide in a sincere and honest dialogue to address these issues for the common good.



**MOVEMENT FOR DEMOCRATIC CHANGE**

