

## **Mnangagwa, Zimbabwe, Not Fit to Lead SADC**

The Namibian By Vitalio Angula

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*President Emmerson Mnangagwa*

**Zimbabwe will assume the chairmanship of the Southern African Development Community from Angola on 17 August, when the country hosts the 44th summit of SADC heads of state and government.**

President Emmerson Mnangagwa will head the 16-member regional bloc notwithstanding reports of repression, assaults and crackdowns on members of the opposition and civil society organisations in the country.

According to a ZimLive news report of 17 June, “Citizens for Coalition for Change faction leader Jameson Timba, his 19-year-old son and close to 70 other party activists were arrested on Sunday while gathered at his residence”.

Ironically, the event at Timba’s home was to commemorate the Day of the African Child.

The day is observed annually to mark the death of hundreds of school-going youth killed by South Africa’s apartheid government while protesting plans to impose Afrikaans as a medium of instruction for black pupils.

It is unthinkable that less than 50 years since the Soweto uprisings, the commemoration of that day would become a crime in Zimbabwe for those who oppose the leadership of Mnanganwa and his ruling Zanu-PF Party.

### **OTHER CRACKDOWNS**

On Wednesday, 24 July, 10 members of the Zimbabwe National Students’ Union (Zinasu) were injured and 44 others arrested after anti-riot police raided a private meeting at the Zesa Training Centre in the capital, Harare.

Injuries included cracked bones and deep lacerations.

A week later, on 31 July, “four human rights activists, Namatai Kwekweza, Robson Chere, Samuel Gwenzi and Vusumuzi Moyo were forced off a departing plane at the Harare Airport by security agents as they embarked to attend the 5th African Philanthropic Conference (an annual gathering of civil society policy influencers at Victoria Falls)”, a Voice of America report stated.

According to the report, “the activists were detained and Chere sustained severe injuries after ... the agents used planks and iron rods to beat him”.

All these are examples of human rights violations that go against the third SADC Principle of ‘Human Rights, Democracy and the Rule of Law’.

## **VIOLATIONS PERSIST**

Not only did Mnangagwa come to power through a coup d’état when he ousted former leader Robert Mugabe in 2017 but his bid for re-election in 2023 was described by the SADC Electoral Observer Mission as “falling short of the minimum standards set forth in the SADC Principles and Guidelines for Democratic Elections”.

Among other irregularities the SADC Electoral Observer Mission to the 2023 Zimbabwe General Elections noted:

- Restrictions in the freedom of assembly and expression emanating from draconian legislation like the Maintenance of Peace and Order Act and the Patriot Act, which criminalise anyone who criticises “Zimbabwe’s sovereignty”.
- Restrictive nomination fees that limit participation, like the unprecedented US\$20 000 fee for presidential nominees.
- Evidence of lack of judicial independence.
- Evidence of the deployment countrywide of the Forever Associates Zimbabwe believed to be from Zimbabwe State Intelligence, thus compromising the vote.
- Problems of party/state conflation.
- Biased coverage by state media.

## **THE SADC TRIBUNAL**

The SADC Tribunal was first envisioned in terms of the Treaty of SADC in 1992.

It was mandated to hear disputes between states, and between natural or legal persons and states. SADC member states agreed to establish the protocol in 2000 but it only became operational five years later, in 2005, after the first judges were sworn in.

The tribunal was headquartered in Windhoek.

Following Zimbabwe’s disastrous land reform programme which saw Zanu-PF operatives invade white-owned farms, one of the affected farmers, Mike Campbell, took his case and that of others to the tribunal which ruled in his favour.

However, Zimbabwe's government rejected the judgement.

A series of events and court cases eventually led to the suspension of the tribunal, which was meant to be a regional court to safeguard the human rights of individuals within the regional body when their own countries failed to do so.

The SADC tribunal was meant to mirror the European Court of Justice's mandate of protecting individuals against states.

However, its revised protocol (at Zimbabwe's insistence) dictated it could only hear disputes between states.

### **AN AFFRONT TO CORE VALUES**

SADC was established by a treaty that states that SADC and its member states shall act in accordance with the following principles:

- Sovereign equality of all member states
- Solidarity, peace and security
- Human rights, democracy and the rule of law.
- Equity, balance and mutual benefit
- Peaceful settlement of disputes

When the SADC Tribunal and the SADC Electoral Observer Mission made judgements against Zimbabwe in separate cases, its government gave the regional bloc the middle finger.

Human rights in Zimbabwe are often denied and are only accorded to those who agree with Mnangagwa and his Zanu-PF party.

For heads of state of the 16-member regional bloc to agree to be led by a tyrant is an affront to the principles SADC leaders swore to uphold when they signed the treaty that created the regional bloc.

Having Mnangagwa as the chair is an affront to the values of human rights and democracy that SADC nations believe in.

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<https://www.namibian.com.na/mnangagwa-zimbabwe-not-fit-to-lead-sadc/>

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