

PETITION TO THE AFRICAN UNION (AU) AND SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)

- His Excellency
 President Alpha Conde
 Chairperson
 African Union Commission
- 2. His Excellency President Jacob Zuma Chairman, Sadc
- His Excellency
 President Joao Lourenco
 Chairman, Sadc Organ on Security & Defence
- His Excellency President Paul Kagame Incoming Chairperson African Union
- cc. Excellencies,
 Heads of States & Government
 The Secretary General of the United Nations
 The Executive Secretary, Sadc

Commissioner
African Commission on Peace and Security
African Union



Commissioner
African Commission on African and People's Rights
African Union

The Secretary General United Nations

Re: The 15 November 2017 Military Coup in Zimbabwe & Extraordinary Situation in the Country

The New Patriotic Front—a political formation established in accordance with the laws of the Republic of Zimbabwe writes to you to bring to your attention the extraordinary, unconstitutional, illegitimate and abnormal situation that exists in Zimbabwe today as a direct result of the military coup that took place in the country on the 15th of November 2017 in violation of the Constitutive Acts of the African Union and the Southern African Development Community; and to request you to:-

- a) openly renounce and condemn the said events of 15 November 2017 as a military coup;
- take all steps necessary to refrain from recognising the legality or legitimacy of the regime currently purporting to form the Government of Zimbabwe;
- c) cease all diplomatic ties and cooperation and recognition of the said Government of Zimbabwe and further to refuse to accord it any recognition as a member in good standing of the AU and SADC;
- d) urgently institute an investigation of the said extraordinary situation to establish the facts and to verify the assertions set out herein below;
- e) take all steps necessary, diplomatic, political and otherwise to establish a Transitional Authority to oversee and superintend a process for the return of constitutional order under civilian rule, legitimacy and normalcy in Zimbabwe and prepare and institute the



- necessary conditions for the holding of free, fair and credible elections as constitutionally due;
- f) deploy an AU force to monitor and ensure demilitarisation of politics, state and government institutions.

The requests and demands set out above are made cognisant of the duties and obligations of the African Union and SADC in terms of the Constitutive Acts of the two esteemed organisations in relation to the unlawful and unconstitutional taking over of power among member states by force and other means. It is our belief and conviction that a dereliction of the duties and obligations imposed on your esteemed organisations warrant the seeking of legal recourse against your esteemed organisations at the respective international forums appropriate to secure an enforcement and or to bring about the necessary corrective action demanded from your esteemed organisations.

We are aware that there are media statements that have been attributed to some officials of the African Union, and even some SADC heads of State, to the effect that there was no coup in Zimbabwe or alternatively that if there was, it was a "bloodless and harmless military intervention". There's overwhelming direct and indirect evidence that the intervention was a bloody coup that grossly violated the Constitution of Zimbabwe and set a dangerous precedent in SADC and the AU with far reaching geopolitical implications for stability under the guise of 'targeting criminals around President Mugabe"; when the real target was President Mugabe himself and his constitutionally elected government for the benefit of a military and political cabal that has been at the forefront of instigating and enforcing unspeakable atrocities, gross human rights violations and systematic corruption with impunity.

We wish to put on record the following facts which require your urgent consideration and action in accordance with the



Constitutive Acts of the African Union and SADC and its applicable protocols:

- 1. That there was a military coup in Zimbabwe on 15 November 2017 conducted by some military officers who call themselves "the Command Element" who, having put themselves above the Constitution of Zimbabwe, claiming to be doing so under inapplicable Section 212 of that Constitution, acted in common purpose with four senior civil servants who corruptly and criminally abused their constitutional duty as public officials.
- 2. While there have been claims, mainly from the perpetrators of the military coup, that the intervention of the Zimbabwe Defence Forces on 15 November 2017 were in terms of the Constitution of Zimbabwe and in particular Section 212; not only do these self-serving claims lack any basis in the Constitution of Zimbabwe or any other law but they belie the record of the reasons for the coup as outlined by the "Command Element" in its deliberations during the coup between 15 November and 16 November 2017.
- 3. We submit to you as we hereby do, the following self-explanatory key documents, originated by the coup makers themselves, that prove beyond any doubt whatsoever that there was a military coup in Zimbabwe on 15 November 2017, whose reasons were manifestly unconstitutional and whose effect was to overthrow in its entirety the elected and constitutional government of the Republic of Zimbabwe and to replace it with a militarised, unconstitutional and illegitimate coup government that is now in effective control of the country:
 - A copy of a 21 page document of the "Command Element" signed by Mr. George Charamba who served as the Secretary of the coup meetings and Aaron Nhepera who was then Acting Director General



of the Central Intelligence Organisation (CIO) and initialled by the two and one Father Fidelis Mukonori entitled, "SUMMARY OF THE MAIN ISSUES AND CONCERNS OF THE COMMAND ELEMENT COMMUNICATED TO HIS EXCELLENCY THE PRESIDENT OF ZIMBABWE, AND COMMANDER-IN-CHIEF OF THE ZIMBABWE DEFENCE FORCES, CDE R.G. MUGABE, THROUGH THE FATHER FEDELIS MUKONORI TEAM IN THE TWO DAYS FROM THE 15TH TO THE 16TH NOVEMBER, 2017, is attached marked "Annexure 1".

- A copy of a one-page document signed by General Constantino Chiwenga, who was Commander of the Zimbabwe Defence Forces and who led the coup (and is now one of two Vice Presidents of Zimbabwe as a direct result of the coup), entitled, "TALKING POINTS (there are seven of them) FOR CDF'S (Chiwenga's) MEETING" (with President Mugabe on 16 November 2017), is attached marked "Annexure 2".
- A copy of a two-page document, with 12 points, entitled "Understanding of statement by his Excellency the President's address of the 19th of November 2017 on the State of the Party and Nation" is attached marked "Annexure 3".

4. ISSUES AND CONCERNS THAT TRIGGERED THE COUP

The following points stand out in the document, "SUMMARY OF ISSUES AND CONCERNS" of the "Command Element" as authored by themselves:

4.1 There was without any doubt a military coup in Zimbabwe on 15 November 2017, during which the Zimbabwe Defence Forces, as led by General Chiwenga, deployed its troops nationwide and placed



the country under siege, occupying key state institutions including the public broadcaster, Zimbabwe Broadcasting Services, blocked access to State House and Munhumutapa Building which houses the Offices of the President of the Republic and carried out military assaults at the homes of targeted government ministers.

- **4.2** As a direct result of the coup, the President of the Republic of Zimbabwe was effectively put under house arrest and communication between him and the "Command Element" was broken and irretrievably lost.
- **4.3** The prime movers and key operatives of the coup were convened at KGVI Army Barracks by General Chiwenga on the morning of 15 November 2017 and they included the following:
 - The "Command Element" (which was largely made up of the ZDF hierarchy led by General Chiwenga)
 - Secretary to the President and Cabinet, Dr Misheck J. M. Sibanda
 - Chairman of the Civil Service Commission, Dr Mariyawanda Nzuwah
 - Permanent Secretary, Ministry of Foreign Affairs, Ambassador Joey Bimha
 - Secretary for Information, Media and Broadcasting Services and Presidential Spokesperson, Mr. George Charamba.



- 4.4 Given that the meeting of the morning of 15
 November 2017 at KGVI was convened by General
 Chiwenga on behalf of the "Command Element"
 that deployed the Army nationwide and carried out
 a military coup, the subservient, illegal and
 unconstitutional participation at the meeting with
 corrupt intent by Dr Sibanda, Dr Nzuwah,
 Ambassador Bimha and Mr Charamba was
 particularly insidious as it demonstrated their
 duplicity, complicity and disloyalty to the President,
 their Principal. Above all, and of particular note and
 concern, their conduct was irregular,
 unconstitutional and treasonous in the extreme.
- Paragraphs 1 on the top of page 2, page 6 and page 7 of the "Summary of the Main Issues and Concerns" document is very important in that it outlines the real reasons, rationale, for the coup as given by General Chiwenga at the closed meeting of the inner circle behind the coup. ALL THE REASONS are political in general regarding the unelectability of Zanu PF in 2018 and factional regarding the support for Emmerson Mnangagwa and the Command Element's wish to elevate him to the presidency and secure higher offices in politics and the defence forces for some members of the "Command Element". All this is in blatant violation of Section 208 of the Constitution of Zimbabwe.
- 4.6 The sinister political objective of the coup is revealed in the middle of page 8 where a stunning disclosure is made that the "Command Element" has already deployed over 2,000 senior retired Army officers and embedded them in communities across the country for the 2018 election. This extent of militarisation has all the



trappings of the 2008 poll atrocities that led to international outrage and the intervention of SADC.

- 4.7 On the top paragraph on page 10, there's a revealing reference to China whose import is the suggestion, as one of the reasons for the coup, of a very dangerous China connection linked to the illegal exploitation of Zimbabwe's minerals in general and the missing billions of dollars from illegal diamond mining by Chinese firms in cahoots with the "Command Element".
- 4.8 The document of the Command Element also lists as one of the major reasons for the coup what it says is "Non-fulfilment of Commitments to, and sidelining of, War Veterans".
- 4.9 Contrary to widespread claims of corruption against the so-called G40 Cabal, which as claimed led to the vicious Army attacks at their homes in apparent assassination attempts, on the bottom paragraph of page 10, the document reveals that the issue with G40 is about the influence they were presumed to have on Zanu PF and the government. For example, Prof Jonathan Moyo is said to have "exerted a negative and disproportionate influence in the Party and Government" and that "his association with the First Family, both direct and indirect, constituted a grave threat to national security, apart from undermining the standing of the First Family in public eyes".
- 4.10 The command element was further irked by the blocking of funds relating to command agriculture by the so called G40 cabal. It is clear that the command element has created a web of corruption that seeks to benefit and profiteer from command



- agriculture were the procurement processes are murky, overpriced and corrupt. This is clear in point number 10 of "Annexure 3".
- 4.11 On the top of page 13, the document makes it clear that, during the coup, the "Command Element" contemplated storming "Blue Roof", the private residence of the President "to pluck out" (with all the dire consequences) Prof Jonathan Moyo and Saviour Kasukuwere whom they believed to have been given shelter there by the President.
- 4.12 On the last paragraph of page 14, the document of the "Command Element" reveals that it staged the coup because it was "irked" and "provoked" by "public charges of conspiracy of a violent overthrow of the Constitutional Order and physical threat to the President and his Family". Ironically, these public charges have come to pass as they have been vindicated by the coup which was violent and which targeted and humiliated President Mugabe.
- 4.13 On the bottom paragraph of page 15, the "Command Element" reveal that one of the major reasons for the coup was "insecurity of tenure within the Zimbabwe Defence Forces and the weeding out of the core corps of the War Veterans". This reason shows that the "Command Element" was self-indulgent, self-serving and bereft of any public or constitutional interest; contrary to its widely publicised claims that it was "targeting criminals around the President", itself an unconstitutional rationale for the coup.



- **4.14** On the top paragraph on page 17 of their document, the "Command Element" complain that the Army was not getting cooperation from the Zimbabwe Republic Police and the President's Department (CIO), whom they accuse of briefing President Mugabe based on "selfserving falsehoods and character assassinations calculated to settle vendettas". The "Command Element" blame the former Police Commissioner General, Augustine Chihuri, and former Director General of the Central Intelligence Organisation who is also former Minister of Justice. Legal and Parliamentary Affairs, Rtd General Happyton Bonyongwe. It is clear from this that the military cabal that calls itself the "Command Element", is the same cabal that has been behind all atrocities and gross violations of human rights for a long time.
- 4.15 On the bottom paragraph on page 17, the "Command Element" reveal a particularly sinister reason for the coup. Their document says, "The President and Commander-in-Chief was informed of concerns of the Command Element over dangerous claims of treasonable conduct arising from a public expression of their disavowal of the state-of-affairs in the country and Party expressed at the Press Briefing of 13th November, 2017 and the subsequent operation mounted two days later". The document of the "Command Element" concludes this concern by asserting that "The noble intentions behind the actions had to be acknowledged to quash fears of indictment in the future". This is a significant point to keep in mind, especially considering the astonishing and unsustainable High Court Order granted by Brigadier General (Rtd) Justice



George Chiweshe on 24 November 2017 declaring that the coup was legal and constitutional under Section 212 of the Constitution of Zimbabwe. This High Court is a telling example of how sections of the judiciary have been captured by the military to the detriment of constitutional order and civilian rule.

4.16 On page 18, the bottom paragraph, the "Command Element" make a startling disclosure in their document that, the President "was informed about the mounting tension and concern within the Command Element triggered by a mobile communication message attributed to the new Minister of Justice, Legal and Parliamentary Affairs, and former Director General of the Central Intelligence Organisation, Rtd General Happyton Bonyongwe, to Air Marshal Perence Shiri who is in Dubai on official business allegedly urging him to fly back to join in efforts towards a counter-operation whose backbone would be the Police Force commanded by Commissioner General Augustine Chihuri".

The "Command Element" also note in their document that "Commissioner General Chihuri had not attended the inaugural Wednesday morning meetings, or any thereafter. His Deputy, Deputy Commissioner-General Godwin Matanga, had only attended the inaugural Wednesday morning meeting, after which he did not turn up for the rest". The document reveals that the "Command Element", "made it clear to the President that a counterforce against their operation would constitute an escalation which was bound to lead to a BLOODY outcome".



4.17 In a disclosure that makes it clear that there was a military coup, the "Command Element" is recorded in their document to have advised the President that "the Command Element would not scale down its operations until all the criminal elements had been accounted for, and the way cleared for the President TO RESUME HIS FUNCTIONS AND ROLE". This is very significant in that it is an admission by the "Command Element" that the President was no longer exercising his functions and role as per the Constitution of Zimbabwe since 15 November 2017 because and only because of the coup. any event, it is common cause that the President never resumed his functions and role but was instead overthrown on 21 November 2017 by the coercive force of the coup and an alleged resignation which he could not have voluntarily and freely rendered in accordance with the Constitution, when he was surrounded by the Army and confined to his residence.

5. TALKING POINTS FOR CDF'S MEETING

- 5.1 In the afternoon of Thursday 16 November 2017, General Chiwenga had what the "Command Element" referred to as "the inaugural face to face meeting" with President Mugabe. General Chiwenga took to the meeting a one-page document that he had signed and dated.
- 5.2 The document has seven talking points that General Chiwenga raised with President Mugabe during the coup, six of them political and relating to Zanu PF while one was about concerns about the security of tenure of the "Command Element".



- 5.3 What is notable or stands out about this document is that there's nothing in it that has anything to do with the public interest, national security or Constitution in relation to the coup. Everything in the document is about Zanu PF factional politics and the insecurity of tenure of the "Command Element".
- 6. COMMAND ELEMENT'S STATEMENT ON ITS
 UNDERSTANDING OF PRESIDENT MUGABE'S 19
 NOVEMBER STATEMENT "ON THE STATE OF THE
 PARTY (ZANU PF) AND NATION"
 - 6.1 The document contains the interpretation by the "Command Element" of President Mugabe's 19 November 2017 statement that was broadcast live on national television and radio. The document has 12 points.
- 6.2 The most important of the 12 points were the first four, and ALL of them are political and about Zanu PF in blatant violation of Section 208 of the Constitution of Zimbabwe. These points were:
 - Mugabe undertook to "restore the situation and outcomes of the 2014 Congress of Zanu PF by setting aside all suspensions, dismissals, expulsions, and restructuring outcomes that reversed the outcomes of the 2014 Congress". This is all about Zanu PF and all of it is unconstitutional. There's nothing about this point that speaks to the public interest, national security or the Constitution of Zimbabwe.



- 6.2.2 That "restoration of Party and Government position held by Cde ED Mnangagwa and any other Party members agreed to by the President and his deputy (meaning Mnangagwa) for deployment as he deems fit". It is clear from this point that an overriding purpose of the coup was to secure the reinstatement of Emmerson Mnangagwa, the individual, as Vice President of Zanu PF and therefore of the Republic of Zimbabwe. This was a blatant violation of the Constitution of Zimbabwe. There are no issues of public interest or the Constitution of Zimbabwe about this demand by the "Command Element".
- 6.2.3 That "the negative cabal comprising Kasukuwere, Jonathan Moyo, Ignatius Chombo and Patrick Zhuwao behind the G40 factional politics be relieved of their posts in both Party and Government". This was a major demand of the "Command Element" and a major rationale for the coup. It's notable that the demand was entirely political and factional, thus unconstitutional. Apart from being unconstitutional it is wholly irrational that the nationwide and prolonged military intervention that was formally in force between 15 November 2017 and 18 December 2017 was simply and only about removing Jonathan Moyo, Saviour Kasukuwere, Ignatius Chombo and Patrick Zhuwao from their Zanu PF and Government positions. Quite clearly this was a cynical excuse, as there was far more to the military coup than that.



6.2.4 That "the War veterans dismissed from the Party and whose leadership of the Association was being challenged be re-admitted into the Party and acknowledged in their posts and in the Association". The "Command Element" further

and whose leadership of the Association was being challenged be re-admitted into the Party and acknowledged in their posts and in the Association". The "Command Element" further asserted that it was their understanding that President Mugabe was agreeable to extending a Block Vote to War Veterans in the Party. Again, there was nothing in this demand or justification of the coup which spoke to the public interest, national security or the Constitution of Zimbabwe. The demand was political, factional and wholly about Zanu PF and did not warrant a military coup.

7. THE EXTRAORDINARY SITUATION IN ZIMBABWE

The three documents by the "Command Element", some of whose key features we have outlined above, clearly establish beyond any doubt that there was a military coup in the Republic of Zimbabwe on 15 November 2017 and that the reasons or rationale for that coup had nothing whatsoever to do with the defence of either the Constitution of Zimbabwe or the territorial integrity of the Republic of Zimbabwe.

In the circumstances, the following considerations need urgent attention of the AU and Sadc:

7.1 The military coup was factional and political as it entirely was about Zanu PF politics with no public or national security interests. As such, the military coup was illegal and unconstitutional and specifically



- violated sections 2, 208, 209, 210, 211, 212, 213 and 214 of the Constitution of Zimbabwe.
- 7.2 In so far as it violated the Constitution of Zimbabwe, and there's no question about this whatsoever, it ipso facto violated the Constitutive Acts of the African Union (A) and the Southern African Development Community (Sadc).
- 7.3 The coup was violent and bloody with yet unreported and undocumented but existing cases of killings, widespread torture, illegal arrests and detentions, looting, destruction of homes and other property along with the displacement of people into internal and external refugees.
- 7.4 There was a foreign hand or hands in the coup with credible published reports pointing to the involvement of the United Kingdom and China. This is regrettable as it amounts to interference in the domestic affairs of a sovereign State in violation of International law.
- 7.5 Following the military coup, there has been brazen militarization, capture and corruption of State institutions and agencies of government. This has particularly affected the police, prosecution and judiciary institutions which have now become weapons against opponents of the coup government. This has made the return to civilian rule in Zimbabwe urgent.
- 7.6 Examples of the capture and corruption of the judiciary include massive unprocedural and unlawful dismissals of the top brass of the Zimbabwe Republic Police (ZRP) on 19 January 2018 and a reprehensible 24 November 2017 High Court Order that astonishingly declared the military coup to be "lawful".



The order was fast tracked and granted by Justice George Chiweshe, the Judge President of the High Court of Zimbabwe and a Retired Brigadier General who was Judge Advocate in the Zimbabwe National Army. No person or organisation in Zimbabwe has dared appeal this patently wrong decision of the High Court because the military has put the fear of God in potential litigants. This is why AU and Sadc processes need to be triggered as a matter of urgency.

- The Cabinet has become a dysfunctional 7.7 sycophantic organ with all but five of its members (who are from the military cabal) unable to freely participate contribute to deliberations following two key coup commanders to key appointment of ministerial posts and the elevation of General Chiwenga, who spearheaded the coup Commander of the Zimbabwe Defence Forces, to the post of Vice President and Minister of Defence and War Veteran Affairs. The three coup commanders who now virtually direct Cabinet decisions were, along with Emmerson Mnangagwa, the key architects of Gukurahundi atrocities, Operation Murambatsvina and the 2008 election violence which amounted to a silent military coup, not to mention a series of gross human rights violations including the disappearance of individuals such as Itai Dzamara.
- 7.8 Ordinary Zimbabweans especially among the youth across the country and peasants in the rural areas, have been targeted for selective application of the law and have been subjected to political arrests and prosecution with accusations that they are "G40" that the military has particularly targeted as a generational opponent that is challenging the entitlement claims of the military cabal behind the coup.



- It is notable that the Youth who constitute the 7.9 demographic majority and among whom many are increasingly and openly styling themselves Generation 40 or G40 across the country and unhappy over the humiliating removal of President Mugabe, as a constitutionally elected leader, in a military coup led by an old guard that believes in entitlement and styles itself as Zimbabwe's "stockholders" based on their guerrilla war roles during the 1970s liberation struggle. The Youth had connected with President Mugabe first through the Million Man March, second through the Youth Interface Rallies and Presidential of his commitment importantly because generational renewal in politics, government and society through progressive Youth Empowerment and Indigenisation policies.
- 7.10 The knee-jerk and opportunistic announcement by Patrick Chinamasa, in the 2018 Budget Statement, of wholesale reversal of policies which were spearheaded by President Mugabe has shocked key beneficiary-constituencies of these policies created conditions of a real risk and possibility of instability in the country with far reaching geopolitical implications for the region and Continent. This is particularly true of policy reversals affecting the Youth, Beneficiaries of Land Reform and Indigenisation. The policies that have benefited these constituencies gains the Zimbabwe's bedrock of of are Independence. Their reversal after the military coup is dangerous and exposes Zimbabwe to real and treacherous dangers; specifically triggered by and arising from the military coup.
- 7.11 With five or so months left before the next general election is constitutionally due, there have been



wholesale, and unprecedented, root and branch changes of personnel in and reversal appointments to State and government institutions and with the agencies coup government proclaiming "a new dispensation" as if it is a product of a revolution, a popular uprising, an election or some other constitutional process. These radical changes of personnel, many of them done on tribal lines, have caused general anxiety and instability in the public sphere.

- 7.12 By its own admission, the "Command Element" has deployed over 2,000 senior military officers and embedded them in communities across the country, where they are taking advantage of the military coup, to do political work for the coup government as "army commissars" and to militarise the country ahead of the 2018 general election. The Army forces that have been deployed for this purpose are led by most of the senior Army officers who oversaw provincial and district Army teams that committed poll atrocities in the 2008 runoff election whose violence and disputed outcome occasioned the intervention of Sadc and AU.
- 7.13 The public space in Zimbabwe is now gripped by palpable fear. Everyone is afraid of the military whose presence in civilian institutions and life has become ubiquitous. While there was some euphoria, especially from traditional opposition ranks who have over the years rallied around their "Mugabe must go" mantra, that euphoria has now disappeared and has been replaced with real fear of the military, as evidence that the Army has taken over becomes increasingly real and ominous. This fear has become national, across the political divide. The public is now afraid of the military and Mnangagwa and



Chiwenga are taking advantage of that fear. Zimbabwe is back to the dark past of the 1980s during which Gukurahundi thrived. The irony is that, like in the 1980s, the people calling the shots are Mnangagwa, Chiwenga and Perence Shiri, to mention but three leading names out of many who are in Cabinet, Zanu PF and the Zimbabwe Defence Forces today.

7.14 The economy is now in a tailspin. The country is in severe liquidity crunch marked by crushing cash shortages. The prices of basic commodities are exponentially skyrocketing, as most of these commodities disappear from the shelves. The lack of business confidence is palpable as a direct and tangible response to the coup and is fuelling instability.

8. TWO KEY QUESTIONS ABOUT THE COUP

In terms of Section 213 of the Constitution of Zimbabwe, **ONLY** the President can deploy the Zimbabwe Defence Forces, whether in or outside Zimbabwe. With this constitutional background, there are two key questions that expose claims that there was no coup:

- (a) Did President Mugabe deploy the Zimbabwe Defence Forces to undertake any operation, notably the so-called Operation Restore Legacy, on 13, 14 or 15 November 2017?
- (b) In light of the deployment of the Zimbabwe Defence Forces on 13 November 2017 to undertake the so-called Operation Restore Legacy, which was a military coup, did President Mugabe freely



and voluntarily resign on 21 November 2017? Was President Mugabe's resignation legal and constitutional?

- 9. As a matter of fact, President Mugabe did not deploy the Zimbabwe Defence Forces on 13 November 2017 to stage a coup on 15 November 2017. General Chiwenga deployed the Zimbabwe Defence Forces and did so treasonously, without the legal power or constitutional authority. The evidence of this fact is overwhelming and supported by the internal documents of the "Command Element" that we have extensively cited above. It follows from this that the forced resignation of President Mugabe on 21 November 2017 was illegal and unconstitutional as a direct consequence of the military coup.
- 10. To put it bluntly, President Mugabe did not freely and voluntarily resign on 21 November 2017. It is for this reason that the coup government of Mnangagwa and Chiwenga is unconstitutional and illegitimate. It has no legal or moral authority, interest or capacity, to organise free, fair and credible elections.
- 11. Mr. George Charamba, who was the Secretary of the "Command Element", confirmed in an interview with one of Zimbabwe's daily newspapers, The Daily News, that President Mugabe did not write his alleged letter of resignation (see Aide Recounts Mugabe's Last Days: Daily News, 14 January 2018).

Mr. George Charamba further publicly stated that, as part of the military coup, the "Command Element" created a



"Gaddafi Trap" for President Mugabe, after putting him under house arrest. The "Gaddafi Trap" was three pronged:

- (a) a premeditated Army organised mass rally against President Mugabe on 18 November 2017 whose builtin threat was to march to President Mugabe's private residence to "lynch" him;
- (b) a premeditated Army organised and patently unconstitutional meeting of "Zanu PF Central Committee", which the country was under military siege and travel was restricted, to recall President Mugabe as the Party's President and First Secretary and have him replaced by Emmerson Mnangagwa and basically effected the demands of the "Command Element" that are in its 12-points document written after the President Mugabe's 19 November public statement; and
- (c) a premeditated and Army organised impeachment process in Parliament, during the coup when the country was under military siege, which was planned to be fast tracked into a one-day affair when, constitutionally, it should take at least four months. In any event, there was no impeachment.

It is important to note that, as narrated by Mr. George Charamba, the "Gaddafi Trap" that the Military set up to get President Mugabe to "resign" was possible only as a direct result and expression of the coup. It created conditions of coercion and undue influence which removed President Mugabe's capacity to make a free and voluntary decision to resign in accordance with the Constitution of Zimbabwe.

12. A factual and legal determination of the above questions is important, urgent and necessary in light of statements



coming from the AU's Peace and Security Commissioner, and even from Sadc leaders, claiming that there was no military coup in Zimbabwe.

13. KEY ACTIONS THAT ARE URGENTLY NEEDED

In light of the foregoing, the New Patriotic Front demands that in the first place the conduct and statements of the African Union and SADC in relation to the events of the 15th of November 2017 cannot stand in blatant violation of the Constitutive Acts of these organisations and the Constitution of Zimbabwe. Such a dereliction of duty cannot be countenanced and cannot be without consequence or relief. As set out in the opening paragraph, the following is demanded of the AU and SADC:-

- a) openly renounce and condemn the said events of 15 November 2017 as a military coup;
- b) take all steps necessary to refrain from recognising the legality or legitimacy of the military regime currently purporting to form the Government of Zimbabwe;
- c) cease all diplomatic ties and cooperation and recognition of the said Government of Zimbabwe and further to refuse to accord it any recognition as a member in good standing of the AU and SADC;
- d) urgently institute an investigation of the said extraordinary situation in Zimbabwe to establish the facts and to verify the assertions set out herein above;
- e) take all steps necessary, diplomatic, political and otherwise to establish a transitional authority to oversee and superintend a process for the return of



Zimbabwe to constitutionalism, legitimacy and normalcy;

f) deploy an AU force to monitor and ensure demilitarisation of politics, state and government institutions.

Signed.

Date: 29 January 2018

Interim Chairman

New Patriotic Front



Encl: Annexures:-

1. Copy of Command Element Key Coup
Document: "SUMMARY OF THE MAIN
ISSUES AND CONCERNS OF THE
COMMAND ELEMENT COMMUNICATED
TO HIS EXCELLENCY THE PRESIDENT OF
ZIMBABWE, AND COMMANDER-IN-CHIEF
OF THE ZIMBABWE DEFENCE FORCES,
CDE R.G. MUGABE, THROUGH THE
FATHER FEDELIS MUKONORI TEAM IN
THE TWO DAYS FROM THE 15TH TO THE



- 16TH NOVEMBER 2017" (with important attachments as cited in the Document).
- 2. Copy of Coup Document: "TALKING POINTS FORCDF'S MEETING" signed by General Constantino Chiwenga, dated 16th November 2017.
- 3. Copy of Command Element Coup Document: "UNDERSTANDING OF STATEMENT BY HIS EXCELLENCY THE PRESIDENT'S ADDRESS OF THE 19TH OF NOVEMBER 2017 ON THE STATE OF THE PARTY AND NATION.
- 4. Copy of Press Statement by Zanu PF's Secretary for Information and Publicity, SK Moyo, dated 13 November 201, on General Constantino's Coup Statement to the Media as "Treasonous".
- 5. Copy of Interview with Mr. George Charamba confirming President Mugabe did not write his own resignation letter, "Aide Recounts Mugabe's Last Days", Daily News, 14 January 2018.
- 6. Pictures taken at the homes of government ministers attacked by Special Forces soldiers in the early hours of 15 November 2017:
 - SAS soldiers were sent to attack the home of Prof Jonathan Moyo, who was Minister of Higher & Tertiary Education, Science & Technology Development. The pictures are



marked "Prof JN Moyo's Home". Prof JN Moyo and his family had gone into hiding away from their home when it was attacked.

- SAS soldiers were sent to attack the home of Saviour Kasukuwere, who was Minister of Local Government, Public Works & National Housing. At the time of the attack, Prof JN Moyo and his family had sought refuge at the Kasukuwere residence. With two families together, there were 11 people (7 children, including a 12 year old). The pictures are marked, "Kasukuwere Home".
- SAS soldiers were sent to attack the home of Dr Ignatius Chombo, who was Minister of Finance and Economic Development. The pictures are marked, "Dr Chombo's Home".
- 7. African Union Statement on Zimbabwe November 2017
- 8. SADC Troika Press Release November 2017
- 9. Links online

Aide recounts Mugabe's last days - DailyNews Live

https://www.dailynews.co.zw/articles/2018/01/14/aide-recounts-mugabe-s-last-days#.Wm2RuoVJ60A.whatsapp

https://www.google.com/amp/s/www.voazimbabwe.com/amp/4228254.html

Zimbabwe takeover seems like a coup, African Union says - BBC News - http://www.bbc.com/news/world-africa-42004816

Al Jazeera: How the African Union got it wrong on Zimbabwe http://aje.io/su3we



Annexure 1

ELEMENT COMMUNICATED TO HIS EXCELLENCY THE PRESIDENT OF ZIMBABWE, AND COMMANDER-IN-CHIEF OF THE ZIMBABWE DEFENCE FORCES, CDE R. G. MUGABE, THROUGH THE FATHER FEDELIS MUKONORI TEAM IN THE TWO DAYS FROM THE 15TH TO THE 16TH NOVEMBER, 2017.

INTRODUCTION

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This Report summarizes main issues to emerge from communication, both mediated and direct, to the President of Zimbabwe and Commander-in-Chief of the Zimbabwe Defence Forces, Cde Robert Gabriel Mugabe, by the Command Element following an operation mounted by the Zimbabwe Defence Forces in the early hours of Wednesday, 15th November, 2017. The sequel to that operation, dubbed "Operation Restore Legacy", was a morning meeting called by the Commander of the Defence Forces (CDF), General C.G.D.N Chiwenga, at the Army Headquarters at Josiah Magama Tongogara Barracks (JMTB), formerly KGVI, comprising the Command Element (including Police, Prisons and the President's Department), the Chief Secretary to the President and Cabinet, Dr M.J.M. Sibanda, Chairman of the Civil Service Commission, Dr Mariyawanda Nzuwah, Secretary for Foreign Affairs, Ambassador Joey Bimha, Secretary for Information, Media and Broadcasting Services and Presidential Spokesperson, Cde George Charamba. Later, Father Fidelis Mukonori joined the same meeting.

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Broadly, the CDF explained the rationale behind the Operation stressing that this was not a military take-over of Government, but a time-bound Operation meant to extricate the President of Zimbabwe and Commander-in-Chief of the Zimbabwe Defence Forces from negative elements who encircled and had developed tentacles around him, thereby over threatening his legacy and interfering with the proper execution of his duties as Leader of the ruling Party, Zanu-PF, and as President of the Republic of Zimbabwe. Explaining that the Command Element had had several meetings with the President at which it had repeatedly expressed grave concern over this negative development, especially on the defence and the upholding of the ideals and vision of the National Liberation Struggle; on his Legacy and symbolism as the only surviving leader from that epochal Struggle; as the founding father of the Zimbabwe Nation; on the electability of the ruling ZANU-PF Party in the impending 2018 Harmonized Elections and, on the preservation and reproducibility of the whole ethos of the National Liberation Struggle as the dominant, enduring and governing idea in and for Zimbabwe, the CDF requested both the Chief Secretary and Chairman of the Civil Service Commission to help with a quick return to normalcy in respect of the functioning of the three pillars of the State, namely the Executive, the Legislature and the Judiciary. The Operation would not interfere with the normal functioning of society and was only targeting criminal elements who, over the years, had surrounded the President and Commander-in-Chief of the Defence Forces, thereby stifling the proper running of the Party and Country.

The CDF also requested Father Fidelis Mukonori to assist with restoring contact and communication with His Excellency the President, Cde R.G.



Mugabe, who remained free and secure at his private home. Further, the CDF requested the Secretary for Information, Media and Broadcasting Services and Presidential Spokesperson, Cde George Charamba, and the Acting Director-General (A/DG) of the Central Intelligence Organisation, Cde Aaron Nhepera, to accompany and assist Father Fidelis in the said contact and communication with the President and First Secretary of ZANU-PF. The Report which only covers the Father Fidelis Mediation Mission, consolidates issues and concerns raised by the Command Element, and put to His Excellency the President in the two days that have gone by since the Wednesday 15 November 2017 Operation.

All told, the following chronology represents meetings held in the two days of November 15 and 16:

Inaugural Meeting of Wednesday morning (from about 0930HRS) of 15th November, 2017, called by the CDF, at which tasks were given as outlined above;

First Meeting involving the President, Cde R.G. Mugabe, the First Lady, Amai Grace N. Mugabe, Father Fidelis Mukonori, Secretary Charamba and Acting Director General Nhepera, held at The Blue Roof, the private residence of the First Family, later in the morning of 15th November, 2017;

First Feedback Meeting from about midday of Wednesday, 15th November, 2017, involving the Command Element (minus a



representative of the Zimbabwe Republic Police) and the Father Mukonori Team, held at JMTB.

Second Meeting of the First Family and the Father Mukonori Team held late afternoon of 15th November, 2017, at The Blue Roof. The meeting went into the early hours of the evening.

Second Feedback Meeting involving the Command Element, Father Mukonori and Secretary Charamba from about 1000HRS on Thursday, 16th November, 2017, at JMTB. Commissioner-General of Prisons and Correctional Services, Cde Paradzayi Zimondi, who had been away on a foreign mission, also attended.

Third Feedback Meeting involving President Mugabe, Father Fidelis Mukonori, Secretary Charamba and A/DG Nhepera at State House, from about 1200HRS on Thursday, 16th November, 2017. A/DG Nhepera was later excused to prepare for a meeting between His Excellency the President and a visiting, fact-finding South African Delegation dispatched by His Excellency President Zuma in his capacity as the Chairman of the Southern African Development Community (SADC).

Meeting between President Mugabe and the South African Delegation led by the South African Minister of Defence, and comprising South African Minister of State Security, the CDI of SANDF, and South Africa's Ambassador to Zimbabwe, in the afternoon of Thursday, 16th

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November, 2017, at State House. The President's side comprised Defence Minister Sydney Sekeramayi, State Security Minister Kembo Mohadi and CDF Chiwenga, with Secretary Bimha, Air Vice Marshal (AVM) E. Moyo, Father Fidelis Mukonori, Secretary Charamba and A/DG Nhepera in attendance.

Inaugural face-to-face Meeting between His Excellency the President of Zimbabwe and Commander-in-Chief of the Zimbabwe Defence Forces, Cde R.G. Mugabe, and Commander of the Defence Forces, General C.G.D.N. Chiwenga, held at State House, late afternoon, Thursday, 16th November, 2017, and chaired by Father Fidelis Mukonori, with Secretary Charamba, A/DG Nhepera and AVM Moyo in attendance.

Third Feedback Meeting with Command Element at JMTB, early Thursday evening, 16th November, 2017, on the inaugural face-to-face meeting between the President and General Chiwenga. Father Fidelis Mukonori and Secretary Charamba represented the mediating side.

CONSOLIDATED REPORT ON ISSUES RAISED WITH HIS EXCELLENCY THE PRESIDENT AND COMMANDER-IN-CHIEF OF THE ZIMBABWE DEFENCE FORCES, CDE R.G. MUGABE, BY THE COMMAND ELEMENT.

Rationale for "Operation Restore Legacy".

The Father Fidelis Mukonori team reported to His Excellency the President that the Wednesday 15th November 2017 Operation by the Zimbabwe Defence Forces as explained by the Command Element was

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not a military take-over of Government or a challenge to the Constitutional position and authority of the President as Head of State and Government, and Commander-in-Chief of the Zimbabwe Defence Force, Rather, the Operation was meant to prop the authority of the President and buttress his Constitutional roles in running the affairs of both the Party, ZANU-PF, and the Nation of Zimbabwe. Equally, it was reported to the President that the Command Element undertook to ensure the safety and welfare of the entire First Family both in the present and for all times. The Command Element pledged loyalty to the President and expressed reverence to him as the only surviving leader from the epochal National Liberation Struggle; as the founding President of the Nation of Zimbabwe and, above all, as a symbol and personification of the founding process, the Struggle for National Liberation and Independence. Operation Restore Legacy had been prompted by grave concerns on the part of the Command Element to threats to the integrity, role and legacy of the President posed by a cabal of negative, counter-revolutionary elements who for long had hung around him, and who appeared to take advantage of his advanced age to besmirch his impeccable legacy as a living icon of the Struggle, while systematically destabilizing and misdirecting the ruling Zimbabwe African National Union - Patriotic Front (ZANU-PF), itself the Party of Struggle and National Liberation, and who interfered with the smooth functioning of Government and related institutions critical to the sustenance and endurance of the ethos of Struggle. The goal of the Operation was thus to extricate and redeem the Principal from this cabal which encircled him and which threatened his image in the public eyes, through its acts of wanton corruption and ambitions. The drastic intervention had been prompted and necessitated by repeated

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representations made to His Excellency the President by the Command Element, but which appeared checkmated by the said cabal whose strength and influence on the President, the Party, Government and the First Family seemed to grow by the day, at the expense of the ethos, the ideals, values and traditions of the National Liberation Struggle, and at the expense of the President's otherwise hallowed legacy as a symbol of the freedom struggle and a renowned Pan-Africanist. More worrisome were the divisive, manipulative and vindictive acts by the same cabal which threatened the electability of ZANU-PF in the impending 2018 Harmonized Elections, thus raising the spectre of an electoral defeat which harkened to the 2008 Electoral Crisis and more broadly, to a similar fate suffered by Zambia's founding UNIP in the early 1990s. The President was informed that it was the view of the Command Element that the activities of the group, if left unchecked, threatened broader social cohesion and thus National Security and Stability.

Destabilization and subversion of the Ruling ZANU-PF Party.

The President was informed of the grave concern of the Command Element over the methodical subversion by the same cabal of established Party hierarchy, processes, procedures and values, all in ways that divided and destabilized ZANU-PF from within. Specific mention was made of the wanton suspensions, and destabilization of Party structures across all but one Provinces by the same group in the hope of rigging intra-party electoral results in order to influence the forthcoming Extraordinary Party Congress whose outcomes would be rendered illegitimate in the eyes of members and supporters already



riled by the open and wanton arbitrariness which characterized the management of Party affairs. The ongoing purging of Party officials across the country, including senior officials holding leadership positions in Government, threatened overall stability in the Party and in Government. Against such a baneful background, the Party risked creating conditions for the rise of "Independent" candidates in the forthcoming National Elections drawn from its embittered members, thereby dividing its vote to its own detriment and against its own electoral prospects. Feedback from the over 2 000 Commissars comprising retired senior officers from the Army already embedded in communities across the country pointed to worrisome, widespread disaffection and malaise within the Party, against its leadership, its decisions and management style. Presidential Interface rallies had been manipulated and stage-managed to create a veneer of normalcy and Party popularity on the ground. In reality, these rallies deceptively involved same faces bused to different venues, or ordinary citizens force-marched to these meetings against their will. The Operation by the Military was thus meant to reinstate bona fide party processes for legitimate outcomes. It was the wish of the Commanders to ensure that the President presided over clean and just Party processes in the run-up to the Congress, all for legitimate outcomes. It was the view of the Command Element that all Party members needed to be allowed to participate in elective processes leading to the Congress, without being blocked through trumped-up charges and arbitrary suspensions. Further, the Command Element said while the President's view that the Party leadership would come from the people (through processes of Congress) was unimpeachable, in reality, Party processes had been so badly interfered with as to render Congress outcomes predetermined

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and thus lacking in legitimacy. This rendered the President's well-meant protestations against arbitrary appointments appear to sound hollow and even deceitful, to the extent that the said acts of interference were being carried out in his name and that of members of his Family.

Threats to National Cohesion and Unity

The President was informed of the Command Element's acute concern with strident and persistent messages by high-ranking Party officials that threatened National Cohesion and Unity. Recalling the baneful legacy of violent conflicts and divisions in Zimbabwe's recent past, the Command Element sought to draw His Excellency's attention to the fact that the National Liberation Project of Nation-Building stood imperiled by the said recklessly divisive talk by high-ranking Party officials which threatened the country with what the Command Element termed "hondo yemarudzi", the war of linguistic tribes and regions. Such a discourse which was traceable to the divisive cabal, threatened the country with a throwback to the era of conflicts which this time around, was bound to be more complex and more widespread as to rip the Nation apart. In any case, ZANU-PF needed to muster votes from all provinces for a resounding victory, and thus could not afford alienating entire communities and regions through divisive political rhetoric.

Economic Crisis and non-fulfillment and execution of Public Projects

His Excellency was advised of the Command Element's reading of the dire economic situation obtaining in the country, and which posed a real threat to National Security and the overall electability of ZANU-PF.

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Noting the unfulfilled promises made in the 2013 Harmonized General Elections, the Command Element expressed fears that ZANU-PF faced another election without evidence of real economic recovery by way of completion of flagship projects, or pointers to the general amelioration of the socio-economic conditions of an expectant voting populace. The President was informed that it was the view of Command Element that most of the Projects which would have taken off had stalled because of divisions caused by the said cabal which, apart from causing general paralysis in the execution of projects and programmes, was also extorting and demanding kickbacks from such projects. Apart from the Kariba Power Project, the ZANU-PF Government had little else to show. Much worse, acts of corruption had alienated many in the country, and Zimbabwe's all-weather friends like China who found little or no acknowledgment from Zimbabwe's Foreign Policy thrust and concrete day-to-day economic decisions. A sore project, the President was told, was the Dualisation of the Beitbridge-Chirundu Project which had long stalled, much as the President had been led to commissioning it several months ago. Another sore project was the Solar Project sited in Gwanda which had been mired in, and stalled by, endless controversies.

Non-fulfillment of Commitments to, and sidelining of, War Veterans

His Excellency was informed that no benefits promised to the War Veterans following an indaba with them more than a year ago, had materialized. The integration of War Veterans into operations of both Party and Government was still outstanding. What seemed to be happening instead was a systematic removal and alienation of War

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Veterans from all levels and programmes of the Party and Government, thereby deepening the isolation of the President from his wartime associates and ethos. Although legal instruments were being finalized on gratuities of serving War Veterans, the general attitude promoted by the counter-revolutionary cabal undermined a sense of belonging for the Veterans. Even Veteran Commissars seconded to the Party by the Military had been dropped or sidelined. This did not bode well for the future of the revolutionary culture in the Party which now seemed controlled by well-known corrupt counterrevolutionaries.

Abuse of Office and Hierarchy by the Cabal

The President was told of the Command's concerns over Party officials who overreached their official designations for selfish, arbitrary and ambitious ends. Examples included the Secretary for Science and Technology, Professor Jonathan Moyo, who had morphed into the driving ideologue of factional politics known as G-40, itself at the heart of the mayhem in the Party. Through his baneful influence over Party structures, and especially over the Secretary for Administration and the National Political Commissar, Professor Moyo, whom the Command Element described as a deserter from the struggle and party to negative forces behind the infamous 1978/79 Internal Settlement, and as an agent of a hostile State, had exerted a negative and disproportionate influence in the Party and in Government. He had also created the bogey of "Lacoste" faction as a counterpoise to his G-40 faction. His association with the First Family, both direct and indirect, constituted a grave threat to national security, apart from undermining the standing of the First Family in public eyes. The President was informed of the

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Command Element's frustration following repeated and well-substantiated representations against the Professor revealing that he was in the employ of hostile States, and was a nucleus of espionage activities in the country (Wikileaks Reports being cases in point). Other cited examples of portfolio and hierarchical distortions pointed to the Women's and Youth Leagues, both of which had overrun the Main Wing of the Party. The President's attention was drawn to the Command Element's criticism of the way the National Political Commissar was executing Commissariat work. Instead of healing differences and benignly correcting erring cadres in the Party, his style of running the Commissariat Department was overridingly vindictive and judgmental, thereby worsening tensions in, and alienation from, the Party.

Perception of protection of offenders by the First Family

His Excellency the President was informed of the anger and frustration of the Command Element following confirmed reports that both the ruling Party's National Political Commissar, Cde Xavier Kasukuwere, and Secretary for Science and Technology, Professor Jonathan Moyo, and their families had been granted refuge at the First Family's Blue Roof Residence. The President was informed that the Command Element regarded the two and Cde Chombo as key members of the cabal it blamed for misleading the President and threatening his legacy, as well as for the mayhem in the Party. The Command Element also alleged that the three were part of criminals who, in spite of facing overwhelming charges of corruption, had defeated the course of justice by exploiting their proximity to the First Family. The President was told



that Professor Jonathan Moyo faced charges of abusing the Zimbabwe Manpower Development Fund (ZIMDEF), but had used various dilations and other subterfuges to delay or even forestall his day in court. Cde Chombo had aided and abetted the abuse of ZIMDEF funds by authoring a letter that allegedly sought to exonerate the Professor. All three faced charges related to the abuse of residential land and stands in many suburbs in Harare and in different parts of the country. The seriousness of the matter was underlined to the President when he was told the Command Element expected him to release the two, failure which it may even consider plucking them out of Blue Roof, with the attendant consequences. The President was also told of the fears on the part of the Command Element that the duo's continued stay at the Blue Roof represented its lingering hold and influence on the First Family at a time when delicate attempts were underway to reopen clogged channels of communication between the President and the Command Element. The Command Element, the President was advised, feared the duo would continue to negatively influence the ongoing communication between the two sides. Equally, the Command Element's assurances that all arrested officials would be delivered to the Police for due process, was communicated to the President.

Repeated Attacks on Seniors

Also drawn to the attention of the President was the Command Element's extreme concern and displeasure at the culture of open disrespect of seniors in the Party, including public humiliation, chastisement, innuendos and even direct denunciation of officials at Interface Rallies, contrary to the dictates of decency, respect and



comradeship in the Party. This insidious culture of disrespect and public confrontation demeaned the Party and its personages in the eyes of the people.

<u>Undermining of official communication through the Press and social media</u>

Concern of the Command Element regarding the integrity and management of information and decisions of the Party was drawn to the attention of the President. There was a generalized tendency of preempting or ventilating decisions of the Party, the thinking of the President, and discussions and decisions of Government through the social media. Much worse, serious pending decisions or intentions of the Party and Government would be leaked to the Press and social media as rumours, only to be validated by subsequent actions. All this created an atmosphere of uncertainty, insecurity and victimization in the Party and Government. It also suggested an unofficial inner ring which enjoyed a position of privileged knowledge, on the basis of which it terrorized the broad membership in the Party and Government. This undermined the dignity and sincerity of the President, including the credibility of his decisions.

Provocations against the Defence Establishment

The President and Commander-in-Chief was informed that his Command Element felt painfully irked and provoked by repeated attacks on the Military, including public charges of conspiracy of a violent overthrow of the Constitutional Order and physical threat to the

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President and his Family. The Command Element had put up with such repeated abuses and charges, which themselves had created bitterness within an already disgruntled rank and file. Such irreverent comments coming at a time when the welfare threshold in the military had markedly declined, threatened discipline in this very sensitive Organ of the State. For Commanders coming from the Struggle, such charges were particularly painful given both their longstanding loyalty and commitment to the safety of His Excellency the President, both before and after Independence.

Insecurity of Tenure within the Zimbabwe Defence Force and the weeding out of the core corps of War Veterans

The President and Commander-in-Chief of the Zimbabwe Defence Forces was alerted to growing anxiety within the Command Element arising from well-publicized threats of dismissals or arbitrary retirement of wartime commanders from the Zimbabwe Defence Force. Particularly riling to the Command Element, the President was told, was the fact that such pronouncements came from individuals who fell outside the Defence Establishment and Defence Chain of Command, but who delightfully abused claimed proximity to the Commander-in-Chief and/or the First Lady. The Command Element made reference to a list circulated by a Party Official in the Harare Province, one Mashayamombe, pointing to a planned systematic elimination of veterans from the Command Structure. Such threats which could no longer be discounted or treated lightly in the context of the atmosphere of generalized purging in the Party, and a strident anti-war veterans rhetoric, suggested a systematic attack on the ethos, values



and culture of the Struggle which needed to be nurtured in the Security Establishment as a permanent legacy and philosophy guiding the Command Element for all times. The President and Commander-in-Chief was informed of the precipitously declining numbers of war veterans in the Command Structure as a result of natural attrition and previous retirements. This, coupled with the fact that officers with deriving from various post-independence combat experience operations, whilst numerically significant, were still in need of command exposure, argued for a gradual and well thought-out Command transition in the Military, if the country was to retain its defence and offensive capabilities, as well as retain its liberation struggle-time philosophy and ethos. The Commander-in-Chief was informed that only the positions of the Commander of the Zimbabwe Defence Forces, Commander of the Zimbabwe National Army, Commander of the Airforce of Zimbabwe, Commissioner-Generals of Police and Prisons and Correctional Services, and the Director-General of the Central Intelligence Organization, had term limits in terms of the reigning Constitution. However, the Command Element could not understand why there seemed to be an attempt to invoke the termlimit clause retrospectively, and in ways that selectively applied to the Security Establishment only. The Command Element is of the view that apart from focusing on only those posts with Constitutional term limits, regard had to be given to the fact that the new constitutional dispensation ushered in 2013 gave everyone occupying such constitutionally abridged posts a new countdown date.

<u>Undermining of Inter-Agency Cohesion within the Security</u> Establishment.

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His Excellency the President and Commander-in-Chief was informed of a serious attack on Inter-Agency Cohesion within the National Security Establishment by the aforementioned cabal which appeared to have influenced key departments of National Security. The impact had been the virtual collapse of the National Joint Operations Command (JOC) through which issues relating to National Security were dealt with collectively, and jointly presented to the Head of State. This vital structure had given way to narrow departmental reports and debriefings which not only misrepresented the overall National Security situation, but also provided a conduit for briefings to the Commanderin-Chief that were based on self-serving falsehoods and character assassinations calculated to settle vendettas. The obtaining selective access to the Commander-in-Chief had undermined the spirit of intelligence-sharing and collegiality which all along had underpinned the institution of the National Joint Operations Command. On this score, the Command Element blamed the Police Commissioner-General, Cde Augustine Chihuri, and the former Director-General of the Central Intelligence Organization (now Minister of Justice, Legal and Parliamentary Affairs), Rtd General Happyton Bonyongwe.

Concern over claims of Treason arising from both the Monday, 13th November, 2017 Press Briefing and the Wednesday 15th November, 2017 Operation Restore Legacy.

The President and Commander-in-Chief was informed of concerns of the Command Element over dangerous claims of treasonable conduct arising from a public expression of their disavowal of the state-of-affairs in the country and the Party expressed at the Press Briefing of 13th

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November, 2017, and the subsequent Operation mounted two days later. The Command Element cited a Press Statement by the Minister of Information, Media and Broadcasting Services, Ambassador S. K. Moyo, which was issued in his capacity as the Spokesperson of the ruling Party, and an address by Youth League Secretary Chipanga, both of which alleged high treason. They also claimed that the new Minister of Justice, Legal and Parliamentary Affairs, was crafting a legal instrument meant to indict the Commanders for both actions. The noble intentions behind the actions had to be acknowledged to quash fears of indictments in the future.

Rumours of preparations for a counter-operation led by the Police and Rtd General Bonyongwe.

The President was informed about mounting tension and concern within the Command Element triggered by a mobile communication message attributed to the new Minister of Justice, Legal and Parliamentary Affairs, and former Director-General of the Central Intelligence Organisation, Rtd General Happyton Bonyongwe, to Air Marshal Parrence Shiri who is in Dubai on official business allegedly urging him to fly back to join in efforts towards a counter-operation whose backbone would be the Police Force commanded by Commissioner-General Augustine Chihuri. It was drawn to the President's attention that Commissioner Chihuri had not attended the inaugural Wednesday morning meetings, or any thereafter. His Deputy, Deputy Commissioner-General Godwin Matanga, had only attended the inaugural Wednesday morning meeting, after which he did not turn up for the rest. Instances of friction between the Military and the



Zimbabwe Republic Police were also drawn to the President's attention, culminating in what appeared to be a withdrawal of the Police Force from policing duties at least in the National Capital, Harare. The President was informed that the Command Element had made it clear that a counterforce against their operation would constitute an escalation which was bound to lead to a bloody outcome.

<u>Disinformation and Falsehoods amidst the Operation.</u>

The Mediating Team was able to provide the President with facts which dispelled rumours and falsehoods which continued to swirl around the whole operation. These included claims that three deaths had been reported when Finance Minister and ZANU-PF Secretary for Administration was arrested at his home during the Operation; claims that the Commanders had evacuated their families to safety ahead of the Operation; claims that CDF Chiwenga had made a diversion and stop-over in South Africa en-route to Zimbabwe from China, in order to meet with the dismissed former Vice-President Emmerson Mnangagwa and his team thought to include Cde Christopher Mutsvangwa and Zimbabwe's Ambassador to South Africa, Ambassador Moyo. More critically, the Mediating Team informed the President that the Operation by the Command Element was not calculated for a top leadership change in the Party and country, a process which had to be left to the Party and its Organs running in a fair, clean and just way, all of which had to be superintended by the President himself without undue influence. However, the President was told, hard decisions could not be stalled any longer, and had to be made in the interest of the survival of the Party and its revolutionary traditions.



Fear of the development of a vacuum in Government, and prolongation of the Operation

Amidst reports of ministers reportedly fleeing or attempting to flee the country, coupled with various suspensions of Party Officials who are also Government Ministers, the President was advised on the Command Element's fear of a vacuum developing in Government Ministries, thereby impairing the delivery of essential services, to the detriment of national security and stability. The President was told of Ministers who had attempted to skip the border through different points. He was also told of Ministers who were in a state of limbo as a consequence of suspensions or threats of dismissal from the Party. Both factors had created a situation of paralysis in Government which could trigger unrest or a generalized revolt in the country. Equally, the President was told of the Command Element's anxiety to call off the Operation so soldiers could go back to their barracks, in favour of a return to normalcy. However, the President was further advised, the Command Element would not scale down its operations until all the criminal elements had been accounted for, and the way cleared for the President to resume his functions and role without undue influence.

Clear Roadmap for the Party and Country

His Excellency the President was briefed on the Command Element's anxieties over mounting uncertainties surrounding the future of the Party and country should he decide to take a rest and retire. The Command Element's view was that the current programme of



victimization through manipulative suspensions and dismissals did not inspire confidence in a harmonious succession process. Hard decisions had to be made whilst there is still time, including weeding out negative elements from the Party, while planning for the survivability of ZANU-PF and its revolutionary ethos and legacy well into the future.

Attachments to this report are:

- Signed "Talking points for CDF's meeting".
- Statement by Youth League Chairman, Kudzanayi Chipanga, denouncing the CDF.
- Statement by Youth League Chairman, Kudzanayi Chipanga, retracting his denunciation of the CDF and linking the First Family to the original statement of denunciation.
- Transcript of edited statement by Kudzanayi Chipanga aired on ZTV on 15th November, 2017.

Father Fidelis Mukonori S. J.

Secretary George Charamba

Stillkarunba

/DG Aaron Nhepera

Mediation Team, Harare

17/11/17

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Annexure 2

Politicians to stop reckless utterances against the military whare causing alarm and despondency within the rank and file whar result in anarchy thereby threatening peace and security it the country.

The Party to afford every Party member a fair and equal chan of being heard or elected and the whole democratic process to observed from the cell up and no imposition of candidates.

Cease all purging in the Party and Government and reunite the Party by reinstating all previous victims.

Implement the recommendations of the War Veterans Indaba and reintegrate all war veterans into the mainstream of the Par and Government.

The known counterrevolutionary elements who have foment the current instability in the Party be weeded out both in the Party de Government.

Security of tenure of employment as it relates to the provisio of the current Constitution of Zimbabwe.

A clear cut roadmap for succession in the Party including a free start and going for a new election in 2018.

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UNDERSTANDING OF STATEMENT BY HIS EXCELLENCY THE OF THE PARTY AND NATION STATE OF THE PARTY AND NATION

- That the address undertakes to restore the situation and outcomes of the 2014 Congress by setting aside all suspensions, dismais, expussions of the 2014 Congress by setting aside all suspensions, dismais, expussions. and restructuring that reversed the outcomes of the 2014 Congress.
- That restoration of Party and Government position held by coe ED Mnangagwa and any other Party members agreed to by the President and his deputy for deployment as he deems fit. 3.
- The negative cabal comprising Kasukuwere, Johnathan Moyo, Ignatius Chombo and Patrick Zhuwao behind the G40 factional politics be relieved of their posts in both Party and Government.
- That the War Veterans dismissed from the Party and whose leadership of the Association was being challenged and that these be readmitted into the Party and acknowledged in their posts in the Association, urther that measures be taken to re-unite the war veterans under the arty and acknowledge them as an important Constituency in the Party. onsiderations could be given to extending a Block Vote to the veterans in e Party and secure their interest and participation in decision-making.

There is need for respect of hierarchy in the Party and to show preciation of support flowing from loyal activities by Deputies of the sident and First Secretary of the Party, further the Party must engender Ilture which recognizes the legitimate aspirations by those in legitimate

That the culture of witch-hunting, retributive justice and rumo ering must be checked and rendered punishable in the Party a nment.

Party and Government should now focus on revitalization of ny and preparing the Party for the coming elections.

- That national unity, and cohesion predicated on true love should be er and Government for synergistic operation. at the heart of our nationhood.
- scrutiny and supervision by multi-sectoral supervisory agencies as has been Programme. That all stalled national projects be brought under dose resourced adequately and embraced as Full Party and Government 10. The under-resourced Command Agriculture program must the case with Command Agriculture.
- timelines should have a clear end-state taking into account the agitation destructive speculation as well as uncertainty. Further, the Roadmap with communicated adequately, leaving no room for speculation to avoid 11. The roadmap on the future needs to be explored and explained and within the population.
- Sector and undermine unity of the Security Services should never be which denigrate, demean, disrespect the men and women in the Security Comments/statements coming from persons outside Security Services countenanced



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PRESS STATEMENT BY THE ZANU PF NATIONAL SECRETARY FOR INFORMATION AND PUBLICITY CDE S. K MOYO.

Consistent with the guiding principle of the National Liberation Struggle, the ruling Zimbabwe African National Dinon Patriotic Front (ZANU PF) realfirms the primacy of politics over the gun. It is against an understanding of this abiding principle that the stitlement issued by General Constantino Chiwenga purporting to speak on behalf of the Zimbabwe Defence Forces (ZDF) was not only surprising, but was an outrageous vitiation of professional soldiership and his war time record as a high-ranking freedom fighter entrusted with Command responsibilities in a free and democratic Zimbabwe. Clearly calculated to disturb national peace and stability, the said statement by General Constantino Chiwenga which was not signed, and which did not represent the rest of the Command Element, suggests treasonable conduct on his part as this was meant to incite insurrection and violent challenge to the Constitutional Order, Indeed, this is what happens when the gun seeks to overreach by dictating to politics and norms of Constitutionality.

As the Party running the democratically elected Government of Zimbabwe, ZANU PF will never succumb to any threats, least of all, those deriving from conduct that is inconsistent with the tenets of democracy and Constitutionalism. Not too far back, the President and First Secretary of ZANU PF Cde R.G. Mogabe who is also Commander-In-timef of the Zimbabwe Defence Forces (ZDF) reminded members of the Uniformed Forces of their subordinate place and role viz-a-viz; the Political Authority of the Land. By yesterday's reprehensible conduct, it would appear that this wise counsel not only went unheeded, but was flagrantly flouted in deference to factional politics and personal ambitions. Such conduct stands unreservedly condemned not only in the Party, but also in our Southern African Region and the entire African Continent where subversion of Constitutional Authority is frowned upon and regarded as an absolute anotherna.

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S. K MOYO NATIONAL SECRETARY FOR INFORMATION AND PUBLICITY 14th November 2017

DailyNews Live



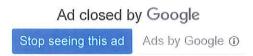
Aide recounts Mugabe's last days

Bridget Mananavire • 14 January 2018 8:34AM • 14 comments



HARARE - George Charamba, the man who served former president Robert Mugabe for over 30 years and mediated the veteran ruler's resignation under pressure from the military and his party, has lifted the lid on the fallen strongman's final moments in power.

Charamba, who has seamlessly traded garments and is now speaking on behalf of the new man in charge, Emmerson Mnangagwa, revealed exclusively to the Daily News on Sunday that during the turbulent two weeks that Mugabe was placed under house arrest as the army took control of the country, the nonagenarian tried frantically to keep his job by attempting to restore Mnangagwa's vice presidency.



Just before the military intervention, Mnangagwa had been sacked for showing "traits of disloyalty", abruptly removing a favourite to succeed him and boosting the likelihood of his wife, Grace, becoming his next deputy and potential successor.

Mnangagwa then fled "assassins" for "a safe place."

On Friday, Mugabe's successor sensationally claimed that he was tipped of the plot to assassinate him by one of the hit men given a mission to eliminate him just after he was given his marching orders.

Mnangagwa recounted a scuffle at the Mozambican border where officials attempted to shoot him, but were disarmed by one of his twin sons, and said he skipped the border and walked in-between strings to avoid landmines heading to Beira where he found a small plane that had arrived from South Africa to pick him up and then flew to Johannesburg.

He then asked for political asylum, through that country's Speaker of Parliament, Baleka Mbete.

From there, Mnangagwa, who fought alongside Mugabe in a guerrilla war and went on to become a feared security chief, issued a statement saying he had been "vilified beyond measure" and was being "hounded by minnows who have no liberation credentials."

"I will return to Zimbabwe to lead you," Mnangagwa said in a damning statement.

Charamba told the Daily News on Sunday that the under-siege former president — placed under house arrest and faced with 60 000 Zimbabweans protesting and demanding that he quits at the Zimbabwe Grounds where he was inaugurated as prime minister in 1980 — tried to reconnect with his former deputy to restore his position in the party and government so as to survive the imminent deposal.

He narrated how army generals gave him a "chilling message" that he and other negotiators were to transmit to Mugabe during the dying hours of his 37-year rule.

"During the negotiations, we were shuttling between Josiah Magamba Tongogara (former KGVI) barracks and the Blue Roof (Mugabe's residence). We were summoned to Josiah Magamba Tongogara to meet the command element of the Zimbabwe Defence Forces, this was myself, (Catholic priest) Father Mukonori and Aaron Nhepera, who was the deputy director-general of the CIO (Central Intelligence Organisation). And we were given an appraisal of the situation.

"They gave us the scenarios that were at play, which were that the povo and also students were threatening to go to the Blue Roof and that there was a possibility of harm to the president. The second was the party had instituted impeachment procedures which were going to take him from being a liberation icon to a common criminal," Charamba said.

"The commanders sent us with a very chilling message, they said 'please go and get the president to appreciate the gravity of the situation out there.' There was the possibility of a Libyan scenario where the president would have been dragged out of the Blue Roof and lynched. It was going to be possible because the soldiers said 'we cannot turn our guns on civilians who are marching against the president and spill blood.' I started visualising an image of Muammar Gaddafi, I literally went argh argh!"

Gaddafi, the deposed leader of Libya, was captured and killed on October 20, 2011 during the Battle of Sirte.

He was found hiding in a culvert west of Sirte and captured by National Transitional Council (NTC) forces.

Gaddafi was killed shortly afterwards.

The NTC initially claimed he died from injuries sustained in a fire-fight when loyalist forces attempted to free him, although videos of his last moments show rebel fighters beating him and one of them sodomising him with a bayonet before he was shot several times as he begged for his life.

"The second scenario of impeachment, they said 'if the impeachment starts, we cannot stop it because that would be to start a coup d'état'," Charamba told the Daily News on Sunday.

"The third message was to say 'we are fast losing control of the process.' The process was to have Mugabe restored as substantive leader of this country and then decide on his own to say I am tired I am handing over power. But there were those processes that were taking place and if they would have happened, there was no longer any legacy to restore."

As events unfolded, Mugabe and Mnangagwa got to speak over the phone, with Mugabe ordering his return so that they could deal with the issues together.

This had followed a letter which Mnangagwa had sent to Mugabe after he had been fired, which, according to Charamba, had made Mugabe regret firing him.

"Before the intervention, ED writes to the president and I saw it, through structures of government. It read: 'Comrade President, I thank you for saving my neck when I would have been executed by the Rhodesian government. Thank you for protecting me in jail and encouraging me to read to become a lawyer. Thank you for appointing me a personal assistant. I thank you for giving me positions of trust including security and other portfolios. But today my enemies have triumphed and I accept it'," Charamba said.

"When I was shown that letter, I cried and said to the person who showed me, 'has the president seen this letter, and he said I sent it to his office. I knew after reading it he will revise his decision on Emmerson.

"True to my prediction he was moved. What I know is that the president was working around a formula to reconnect and restore his position.

"And during the last hours, the president and Mnangagwa spoke through father Mukonori's phone and the president said 'Emmerson where are you?; And he replied, 'Shefu I am in South Africa.' 'Why are you in South Africa? He replied: 'I had to leave the country because elements in security close to me told me they wanted to eliminate me.'

"VaMugabe said: 'To tell the truth, I wasn't aware.' And I believed him because a lot was being done behind his back.

"So, as the conversation continued, he said, 'Can you come back? After the letter you wrote, I thought we were going to reconnect and I was going to restore your position in the party and in government. ED said: 'If you want me to come back, I will come back.' The president said 'I want you to come back now, now, now, so we can handle the situation together'."

Charamba said Mugabe finally decided to resign after having considered the dimensions that had been pointed out by the Zimbabwe Defence Forces.

But according to the presidential spokesperson, Mugabe wanted to go on his own terms.

"On the last day, we were joined by Gideon Gono and then Defence minister Sydney Sekeramayi. The president said to me 'Charamba, I don't want the world to say I have resigned because I fear impeachment.' I haven't committed any crimes. If they want, let them go ahead. I will answer to them," Charamba said.

"I said shefu, you are concentrating on one dimension; there are others which are there which indicated harm to your well-being. This was about the time the impeachment process was about to begin.

"Even the first lady was behind Mugabe's decision to resign. And he said what would my resigning mean? And he was told if you do it now, the impeachment could stop.

"The then Justice minister Happyton Bonyongwe, the Attorney-General (AG) Prince Machaya and the chief secretary (to the President and Cabinet) Misheck Sibanda were called in to join our meeting. VaMugabe tried to speak to National Assembly speaker Jacob Mudenda to stop the process and Mudenda refused.

"He (Mugabe) said you go and draft my letter of resignation. It was me typing, the AG looking at the legality and Sibanda looking at the formatting. We went to HE with it and there was no single correction.

"The moment was too painful for me. I had not slept from day one, I couldn't even stand."

Charamba said there should be a distinction between Operation Restore Legacy and the political process that took place.

"The operation was launched because there had been abuse of a 93-year-old. We would not have gotten to elections in that situation and something terrible would have happened.

"There are several things that happened. There was a march at the Zimbabwe Grounds and threats to go to the Blue Roof. There was a party process which had seen him being recalled as the president of the party.

"There was the impeachment process that had been instituted. Another aspect is that when he called a Cabinet meeting, seven ministers attended and by 10 o'clock, only one had been left, which means that loyalty had gone.

"And when you have a president who can no longer command institutions he is supposed to lead, there is a problem. But what should be noted is that VaMugabe never refused to step down, he wanted to do it in his own way, but there were those issues I have mentioned."



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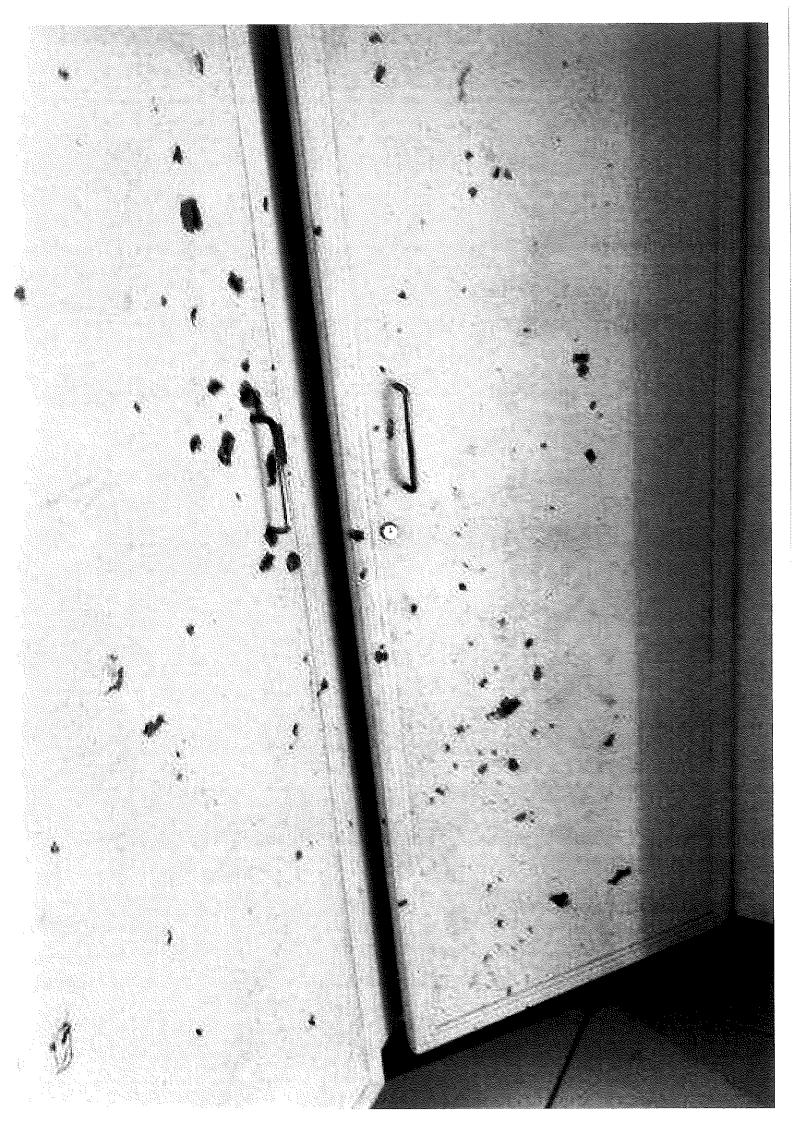


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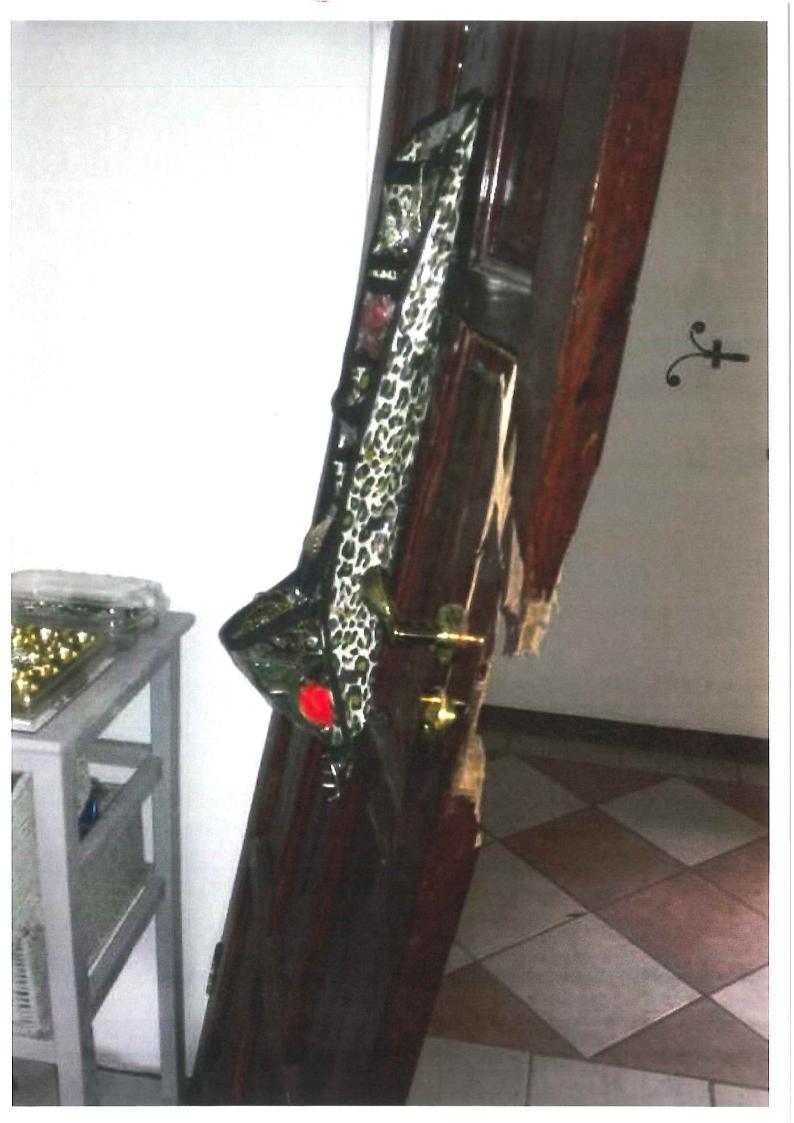




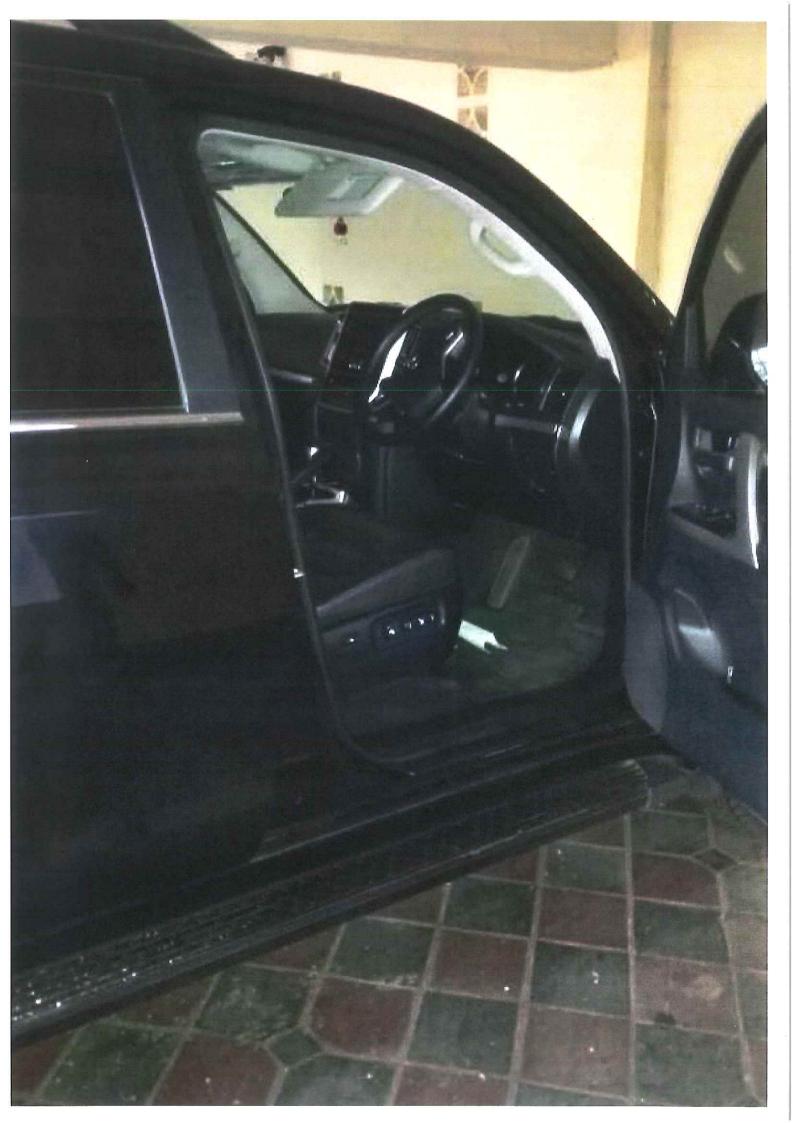


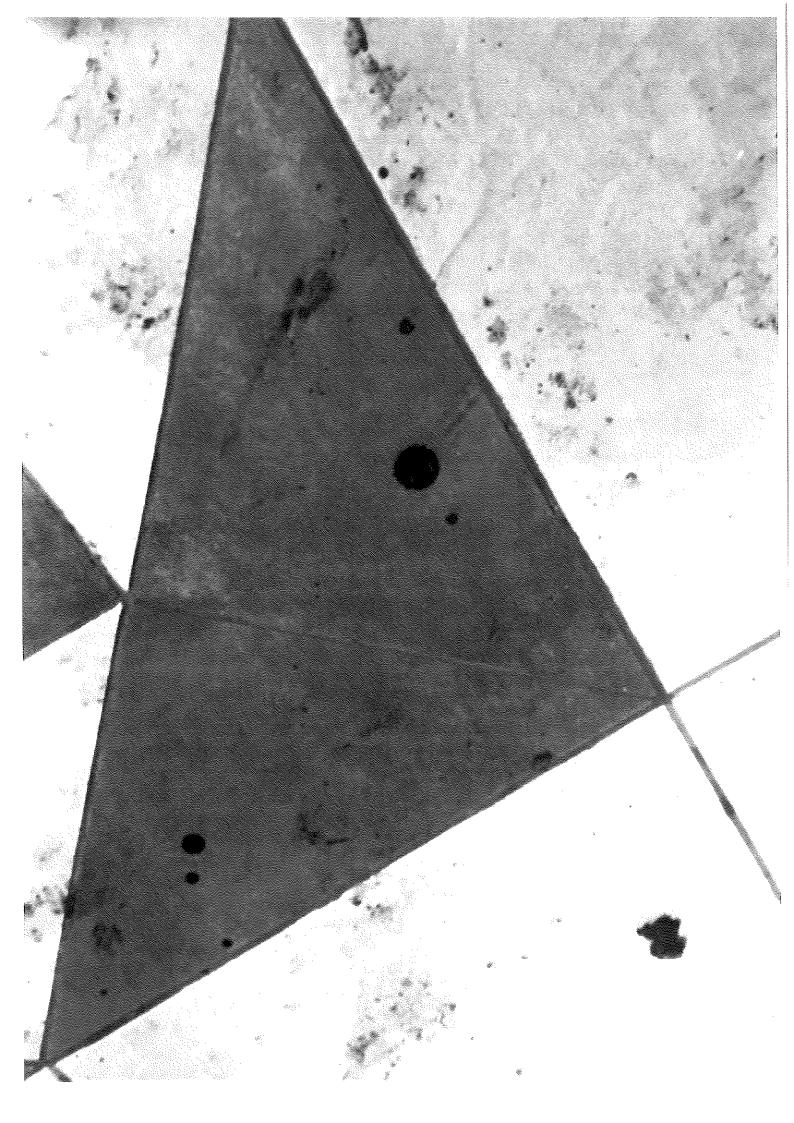




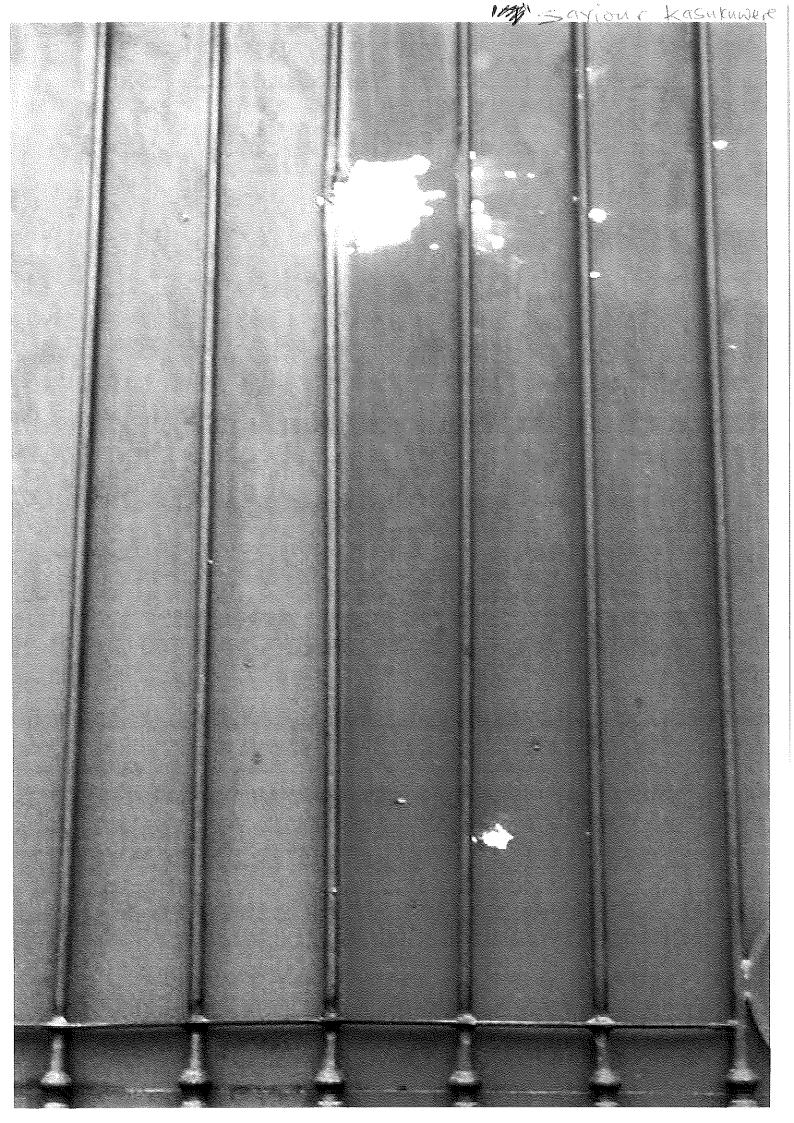


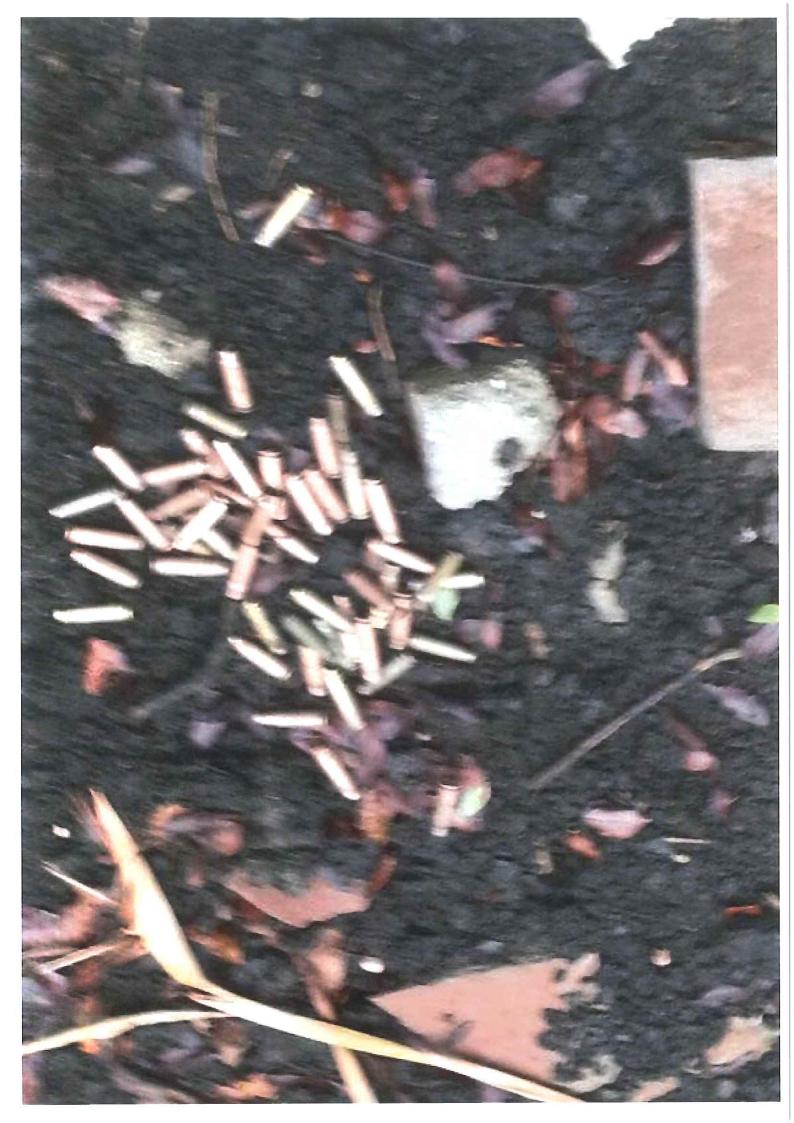


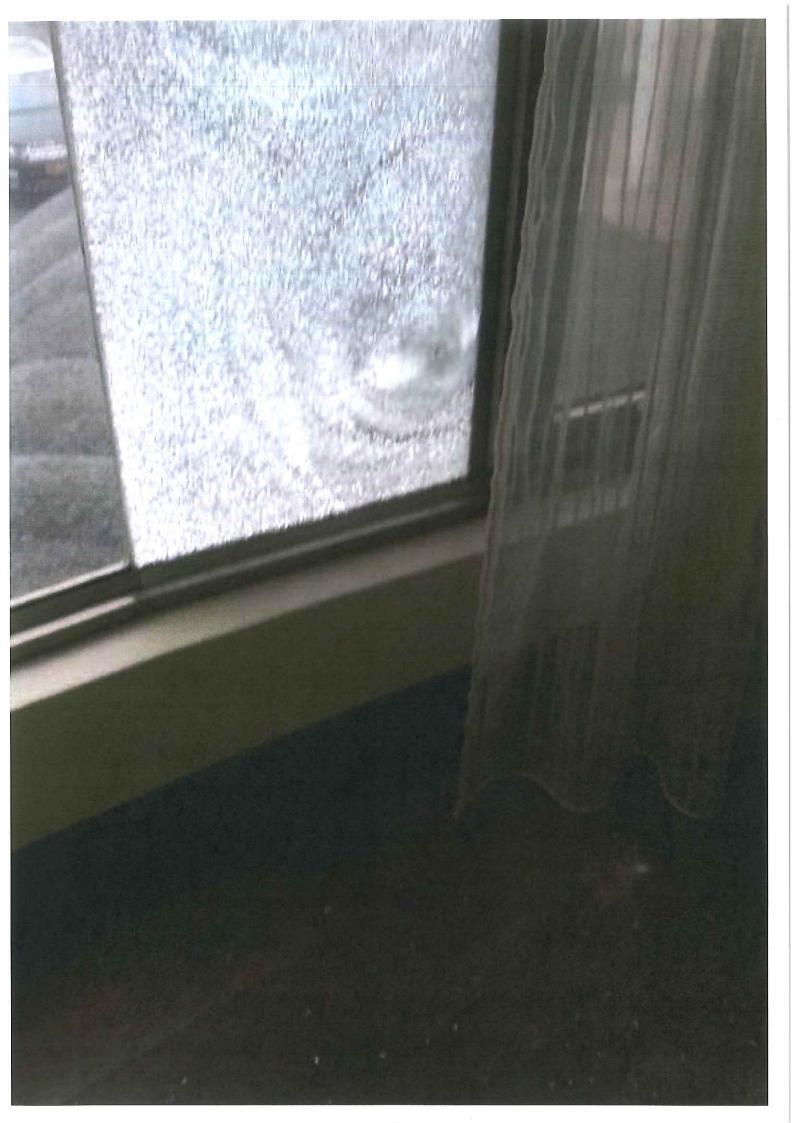


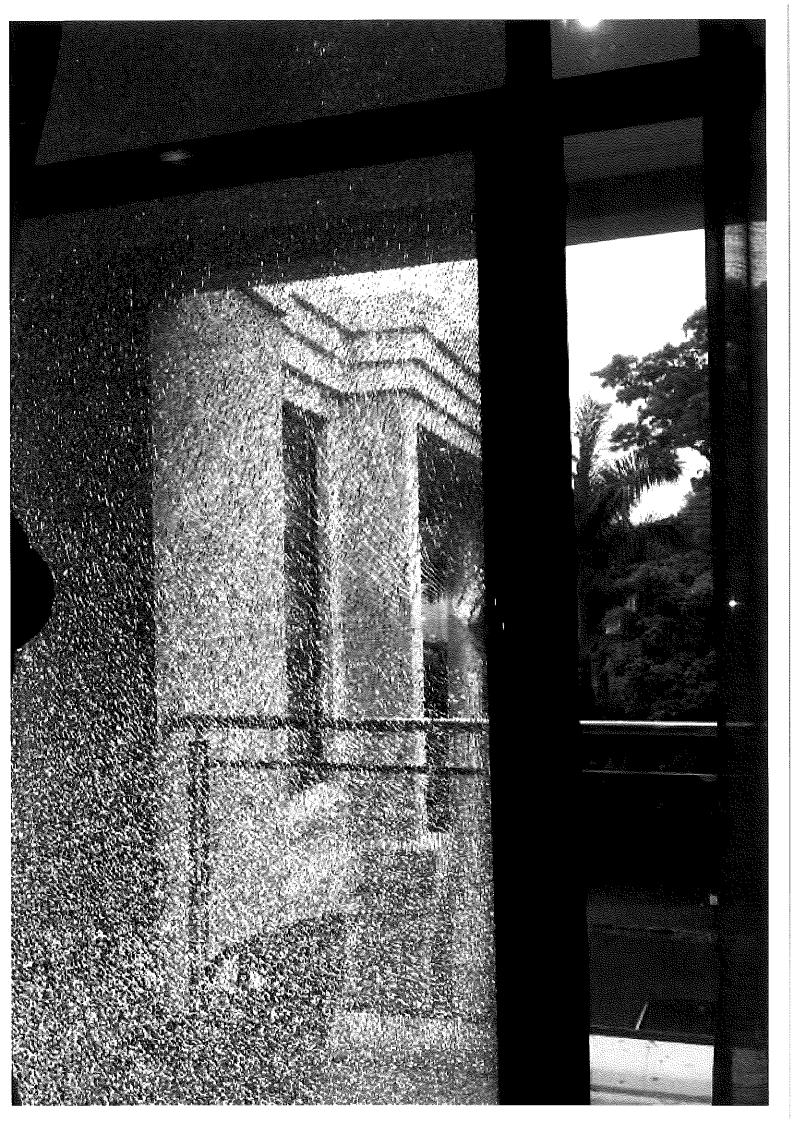




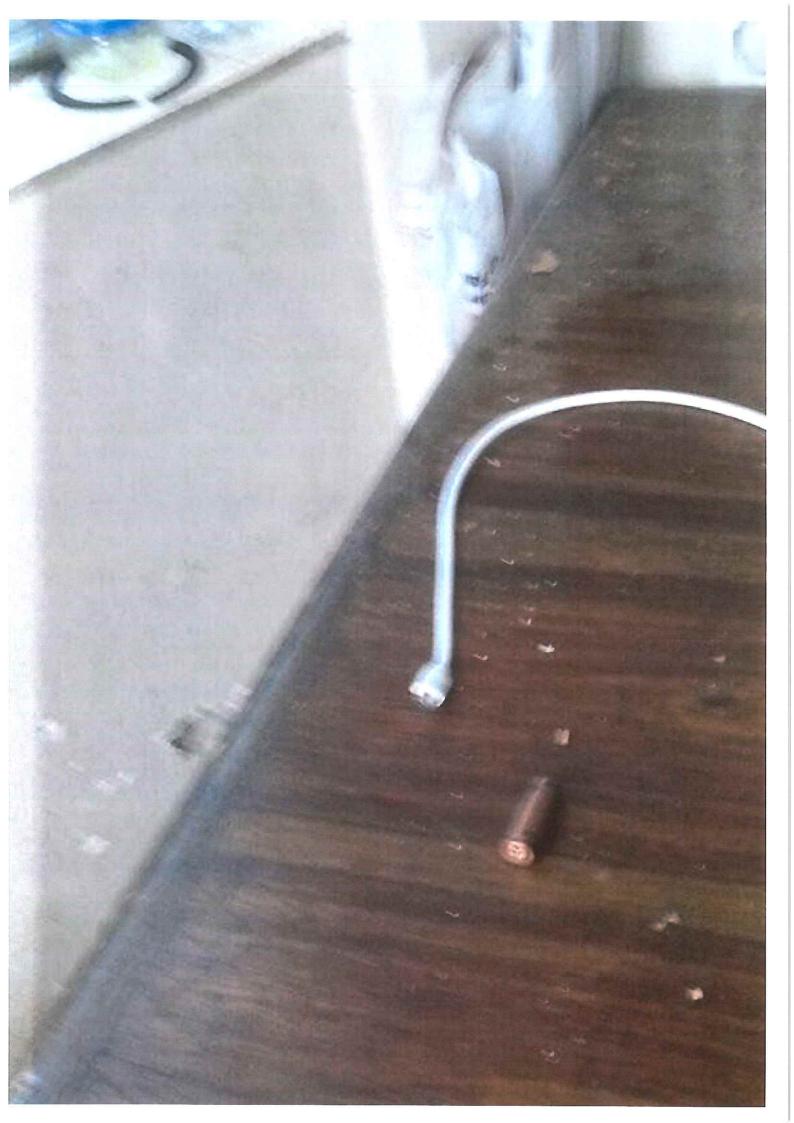
















Memorial Notice In loving memory of Peter Munetsi

10 April 1962 - 15 November 2017

"Those we love can never be more than a thought away for as long as there is a memory, they live in our to stay"



A memorial service for the late Peter "Cde Kasina" Munetsi will be held on the 27th of January 2018 at 1000Hrs.

Number 4A Leander Avenue, Greendale, Harare.

Friends and relatives, please accept this intimation. RSVP: 0777090762 | 07141802000 | 0776878269

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Statement by the Chairperson of the African Union Commission on the situation in Zimbabwe

The Chairperson of the African Union Commission, Moussa Faki Mahamat, is closely following the developments in Zimbabwe. He urges all stakeholders to address the current situation in accordance with the Constitution of Zimbabwe and the relevant instruments of the African Union, including the African Charter on Democracy, Elections and Governance.

The Chairperson of the Commission stresses that it is crucial that the crisis is resolved in a manner that promotes democracy and human rights, as well as the socio-economic development of Zimbabwe.

The Chairperson of the Commission expresses the commitment of the African Union to working closely with the Southern African Development Community (SADC) and the leaders of the region, and to support their efforts. In this regard, the African Union associates itself with the statement made by President Jacob Zuma of South Africa on behalf of SADC.



PRESS RELEASE

SADC ORGAN TROIKA PLUS COUNCIL CHAIRPERSON MINISTERIAL MEETING ON THE POLITICAL SITUATION IN THE REPUBLIC OF ZIMBABWE

- 1. The SADC Organ Troika Plus Council Chairperson Ministerial Meeting was held at the SADC Secretariat in Gaborone, Republic of Botswana on 16th November 2017, comprising of the Republic of South Africa (Chairperson of Council of Ministers), Republic of Angola (Chairperson of Organ), Republic of Zambia (Incoming Chairperson of Organ) and United Republic of Tanzania (Outgoing Chairperson of Organ).
- 2. The objective of the meeting was to consider the unfolding situation in the Republic of Zimbabwe.
- 3. SADC Organ Troika Plus Council Chairperson Ministerial Meeting noted with great concern the unfolding situation in the Republic of Zimbabwe.
- 4, SADC Organ Troika Plus Council Chairperson Ministerial Meeting reafirmed SADC's commitment to African Union (AU) Constitutive Act and the SADCs Democratic Principles, as they relate to the unconstitutional removal of democratically elected Governments.
- 5. SADC Organ Troika Plus Council Chairperson Ministerial Meeting further reafirmed the need for SADC Member States to remain guided by their Constitutions.

- S. SADC Organ Troika Plus Council Chairperson Ministerial Meeting called upon all stakeholders in Zimbabwe to settle the political challenges through peaceful means
- 7. Having considered the unfolding situation in the Republic of Zimbabwe, the Organ Troika recommended the convening of an urgent Extra Ordinary SADC Summit and committed to remain seized with the situation in the Republic of Zimbabwe.

Done at Gaborone, Republic of Botswana, 16th November, 2017

About SADC

SADC is an organisation of 16 Member States established in 1980. The mission of SADC is to promote sustainable and equitable economic growth and socio-economic development through efficient, productive systems, deeper cooperation and integration,