

MEMORANDUM OF UNDERSTANDING BETWEEN THE ZIMBABWE AFRICAN NATIONAL UNION (PATRIOTIC FRONT) AND THE TWO MOVEMENT FOR DEMOCRATIC CHANGE FORMATIONS

PREAMBLE

We the Parties to this Memorandum of Understanding;

Concerned about the recent challenges that we have faced as a country and the multiple threats to the well-being of our people;

Dedicating ourselves to putting an end to the polarisation, divisions, conflict and intolerance that have characterised our country's politics;

Determined to build a society free of violence, fear, intimidation, hate, patronage, corruption and founded on justice, fairness, openness, transparency, dignity and equality;

Recognising the centrality and importance of African institutions in dealing with African problems, and agreeing to seek solutions to our differences, challenges and problems through dialogue under the auspices of the SADC mediation, supported and endorsed by the African Union;

Acknowledging that we have an obligation of establishing a framework of working together in an inclusive government;

Desirous therefore of entering into a dialogue with a view to returning Zimbabwe to prosperity;

Recognising that such a dialogue requires agreement on procedures and processes that will guide the dialogue.

NOW THEREFORE AGREE AS FOLLOWS:

1. Definitions

The 'Memorandum of Understanding' ("MOU") shall mean this written agreement signed by the Principals.

'The Parties' shall mean ZANU-PF, the two MDC formations led by Morgan Tsvangirai and by Arthur Mutambara respectively.

'The Principals' shall mean the President and First Secretary of ZANU-PF, Robert Gabriel Mugabe, the President of the one MDC formation, Morgan Richard Tsvangirai and the President of the other MDC formation, Arthur Guseni Oliver Mutambara.

2. Declaration of Commitment

The Parties hereby declare and agree to commit themselves to a dialogue with each other with a view to creating a genuine, viable, permanent and sustainable solution to the Zimbabwean situation and, in particular, to implement this Memorandum of Understanding.

3. Representation

The Parties will be represented by two representatives each in the dialogue.

4. Agenda

The Parties have agreed to the following Agenda:

4.1. Objectives and Priorities of a new Government

(a) ECONOMIC

- (i) Restoration of economic stability and growth
- (ii) Sanctions
- (iii) Land question

(b) POLITICAL

- (i) New Constitution
- (ii) Promotion of equality, national healing and cohesion, and unity
- (iii) External interference

- (iv)Free political activity
 - (v) Rule of law
 - (vi) State organs and institutions
 - (vii) Legislative agenda priorities
- (c) SECURITY
- (i) Security of persons and prevention of violence
- (d) COMMUNICATION
- (i) Media
 - (ii) External radio stations

4.2 Framework for a new Government

4.3 Implementation mechanisms

4.4 Global political agreement.

5. Facilitation

The Dialogue shall be facilitated in accordance with the SADC and AU resolutions.

6. Time frames

The Dialogue commenced on 10 July 2008 and will continue until the Parties have finalised all necessary matters, save for short breaks that may be agreed upon for purposes of consultation. It is envisaged that the Dialogue will be completed within a period of two weeks from the date of signing of this MOU.

7. Venue

The Dialogue shall be conducted at such venues as shall be determined by the Facilitator in consultation with the representatives of the Parties.

8. Communication with the media

None of the Parties shall, during the Dialogue period, directly or indirectly communicate the substance of the discussion with the media. The parties

shall refrain from negotiating through the media, whether through their representatives to the Dialogue or any of their Party officials.

9. Decisions by the Parties

The Parties shall not, during the subsistence of the Dialogue, take any decisions or measures that have a bearing on the agenda of the Dialogue, save by consensus. Such decisions or measures include, but are not limited to the convening of Parliament or the formation of a new government.

10. Interim measures

10.1 Security of persons

- (a) Each Party will issue a statement condemning the promotion and use of violence and call for peace in the country and shall take all measures necessary to ensure that the structures and institutions it controls are not engaged in the perpetration of violence.
- (b) The Parties are committed to ensuring that the law is applied fairly and justly to all persons irrespective of political affiliation.
- (c) The Parties will take all necessary measures to eliminate all forms of political violence, including by non-state actors, and to ensure the security of persons and property.
- (d) The Parties agree that, in the interim, they will work together to ensure the safety of any displaced persons and their safe return home and that humanitarian and social welfare organisations are enabled to render such assistance as might be required.

10.2 Hate speech

The Parties shall refrain from using abusive language that may incite hostility, political intolerance and ethnic hatred or undermine each other.

11. The role of SADC and the AU

The implementation of the Global Political Agreement that the Parties will conclude shall be underwritten and guaranteed by the Facilitator, SADC and the AU.

12. Execution of the agreement

This agreement shall be signed by the Principals in the presence of each other and shall be witnessed by the Facilitator.

Robert G. Mugabe
President, ZANU-PF

Morgan R. Tsvangirai
President, MDC

Arthur G. O. Mutambara
President, MDC

Thabo Mbeki
SADC Facilitator