



Royal University of Law and Economics

Final Report on

The Role of International Law of Foreign Policy

In Zimbabwe

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ABSTRACT

Foreign policy plays a crucial role in protecting and maintaining its national interest and interacting with other nations while seeking peace and stability of the state, including economic, political, and security development. States strengthen their foreign policy to gain positive benefits from others for the nation. International law also plays an essential role in Zimbabwe's foreign policy development to be fairer and more transparent.

Zimbabwe is a country that encountered many obstacles since it was under the colonization of the British. During the old and the new foreign policy, whether it has already been implemented, Zimbabwe still struggles with economic instability, political corruption, and human rights violations, which hinder the country's ability to engage with the international community and connect with other states.

International law influences and shapes Zimbabwe's foreign policy in order to provide a platform for Zimbabwe to engage in bilateral and multilateral forums to build trust from other states, to discover new approaches to the relations of the new policy of Zimbabwe, including the East and the West to invest in Zimbabwe. Moreover, international law can elevate the protection and maintenance of Zimbabwe's territory and national interests. However, with the adoption of the new policies, there is still a long way that is full of challenges for Zimbabwe to go, which is still threatening economic instability, political instability, and humanitarian crisis to the state.

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LIST OF ABBREVIATION

AU	African Union
ESA	Eastern and Southern Africa
EU	European Union
FOCAC	Forum in China-Africa Cooperation
ICJ	International Court of Justice
IMF	International Monetary Fund
LEP	Look East Policy
NGO	Non-Government Organization
SACU	Southern Africa Customs Union
SADC	Southern African Development Community
UDI	Unilateral Declaration of Independence
UDHR	Universal Declaration of Human Rights
U.N.	United Nation
UNCT	United Nations Country Team
VCLT	Vienna Convention on the Law of Treaties
ZANLA	Zimbabwe African National Liberation Army
ZANU	Zimbabwe African National Union
ZAPU	Zimbabwe African People's Union
ZUNSDCF	Zimbabwe United Nations Sustainable Development Cooperation Framework

INTRODUCTION

Background of Study

In the past and after independence, Zimbabwe has faced a number of challenges, including economic instability, political corruption, and human rights violations. Zimbabwe has encountered a number of obstacles since its independence, including economic insecurity, political corruption, and human rights violations. However, some progress has been made, such as the implementation of free and fair elections, the growth of education and healthcare, and the upgrading of infrastructure. The Lancaster House Agreement, which led to the conduct of free and fair elections in Rhodesia, ended the conflict in December 1979. The appointment of Robert Mugabe as Prime Minister followed ZANU-PF's victory in the election, while Zimbabwe suffered greatly as many people lost their lives during the war. The legacy that remained following the end of hostilities was one defined by mutual hostility and bitterness. Even after winning independence from the war, the nation confronted challenges and struggles over time.

However, under the leadership of the new government, Emmerson Mnangagwa has made significant changes from the former president by interacting and re-engaging with the local as well as foreign investors to improve and decrease the country's economy, the political instability, and human rights abuses in the nation. The government of Zimbabwe has moved forward to gaining relations with both the East and the West. Zimbabwe is also engaging with development partners in terms of education, civil society, climate change, regional economic integration, empowerment of women and girls, health, and social protection. Despite showing signs of improvement, uncertainties about Zimbabwe's future still remain uncertain.

This research paper will focus on the Role of International Law of Foreign Policy in Zimbabwe. This topic will be analyzed by whether international law will be effective in gaining the benefit from the foreign states or not toward Zimbabwe's economy.

Statement of Problem

The old and the new Zimbabwe have shown some different perspectives on how a state can be affected by the superpower states with positive and negative impacts. This paper shows that it is a concern that foreign states have been interfering and interested in Zimbabwe, especially China and the United States, to help put sanctions on the government for interest which has a significant concern on the economic decline, political instability, and human rights abuse. The combination of economic discrimination, political disenfranchisement, and racism led to a widespread desire for independence among the black population of Rhodesia. The desire for independence from Britain led to a long and bloody war of liberation, which finally ended in 1980 with the establishment of the independent state of Zimbabwe. With the challenges and consequences, Zimbabwe has adopted some new policies, yet still threatens the economic instability, political instability, and humanitarian crisis to the states. Since there are consequences that arise today, the government of Zimbabwe is working to address some of these problems. For example, the government has introduced a number of economic reforms to benefit and meet the stability of the state, and it has made some progress in reducing corruption. However, Zimbabwe still has a long way to go before it can overcome its challenges.

Research Question

With the challenges and consequences, Zimbabwe has adopted some new policies in line with the current international rules and norms, yet still threatens economic instability, political instability, and humanitarian crisis to the states. Since there are consequences that arise today, the government of Zimbabwe is working to address some of these problems. For

example, the government has introduced a number of economic reforms to benefit and meet the stability of the state, and it has made some progress in reducing corruption. However, there is still a long way to go before Zimbabwe can overcome its challenges. In this regard, this paper seeks to discuss the following question:

How Does International Law Influence Foreign Policy Development in Zimbabwe?

What Benefits and Challenges can Zimbabwe get from strictly adhering to international law?

Research Objective

International Law, which is a set of rules and principles that govern the relations between states, significantly affects the development of Zimbabwe's foreign policy. As a member of the international community, Zimbabwe is subject to these laws and has to abide by them in its interactions with other states. These laws cover a range of areas, including diplomatic relations, trade, human rights, and war. The study on Foreign policy in Zimbabwe is to find out what is going on in Zimbabwe's foreign policy. Is there any change or new challenge of the policy in economic, political, and security? This paper will provide a better understanding of Zimbabwe's foreign policy and how international law is responsible for a wide range of human rights violations, whether it is effective or ineffective to protect the people in Zimbabwe. It is important to note that there is no single policy that can guarantee that foreign states will not interfere in Zimbabwe's internal conflict. However, by adopting a more inclusive political system, upholding the rule of law, and reducing corruption, Zimbabwe can reduce the likelihood of foreign interference and gain more foreign investors instead.

Research Methodology

For this thesis, there are used of a diversity of materials will be conducted based on secondary data, which is obtained from many reliable sources such as reports, journals, non-organizations, book publications, edited books, government websites, and international

institutions, for instance, the International Monetary Fund, United Nations, International Court of Justice.

Structure of Research

This research paper is divided into five chapters. The basis and initial part contain seven points which are an introduction, statement of the problem, research question, research objective, research methodology, scope and limitation of the research, and literature review. Moving on with Chapter 1: Historical Background of the Old (Rhodesia) and the New Zimbabwe contains five parts that talk about the Second Chimurenga or the Rhodesia Bush War, the Independence of Zimbabwe, a New Zimbabwe, Democratic Development, and the Relations between Southern Africa and Zimbabwe 1994-200. Chapter 2: International Law and Zimbabwe's Foreign Policy will mainly talk about the International Law Governed Zimbabwe's Foreign Policy, the Processing Formulation of Adopting Zimbabwe's Foreign Policy, and the Current Zimbabwe Foreign Policy. Chapter 3: The Power of International Law in Shaping Zimbabwe's Foreign Policy will contain the International Law Influence on Zimbabwe's Foreign Policy. Chapter 4: The Challenges of Zimbabwe's Foreign Policy, which mainly focuses on the Challenges and the Achievements of the Implementation of Zimbabwe's Foreign Policy. The last part is Chapter 5: Analysis of Current Zimbabwe's Foreign Policy and Recommendation. The last part of this research paper is about the Conclusion.

Scope and Limitation of the Research

The whole research will be starting with how international law influences the country, particularly the duration after Zimbabwe got its independence which was in the year 1980. However, the scope and limitation will mainly focus on the duration in which the new foreign policy implements under Mnangagwa toward the international organization in order to re-engage with foreign countries to gain more investment to increase the economy of the state. It

is to discover the new approaches to the relations of the new Zimbabwe government to the West, including the United States and the United Kingdom, as well as to the East, including China and also Russia.

Therefore, this report will provide some common basic ideas regarding the international law play a role in Zimbabwe's foreign policy, which includes the internal and external relations in shaping the future development of the economy, security, and politic, also the challenges of implementation of Zimbabwe's foreign policy to be more fairly and transparency with trading partners.

Literature Review

The book called "Africa's Foreign Policy" written by Professors and Authors: Stephen Wright and Solomon M. Nkiwane wrote about the evaluation of different countries in Africa. In Chapter 11, The authors delve into Zimbabwe's foreign policy, which has shown to be robust, active, and bold despite being one of the smallest nations globally. Zimbabwe's foreign relations over the past eighteen years have been reflective of regional and global considerations, highlighting the constructive role small states can play in world affairs. While Zimbabwe only gained independence in 1980, its predecessor, colonial Zimbabwe, had previous external relations and experiences. Zimbabwe's independence prompted South Africa's policy of destabilization in Southern Africa. The lessons learned from Zimbabwe's foreign policy could prove helpful to other states in Southern Africa.

In this research paper, it is also focusing on the evaluation of Zimbabwe's foreign policy. Besides the paper will also extend its research to the connection between International law and Zimbabwe's foreign policy, which includes how international law shapes the country's foreign policy and has brought about several benefits to the nation and its citizens domestically and internationally.

CHAPTER 1: HISTORICAL BACKGROUND OF THE OLD (RHODESIA) AND THE NEW ZIMBABWE

In 1964, South Rhodesia, named after the late 19th-century explorer Cecil Rhodes, was a British colony in which the United Kingdom government was painfully aware of its empires coming to collapse in Africa. As of 1964, Rhodesia operated on a system of what is called responsible government, which was centered in the city of Salisbury, which nowadays is called Harare. The Smith's government declared independence which led Britain to immediately petition the U.N. to persuade other nations to recognize Rhodesian independence.¹ The Rhodesian government issued a Unilateral Declaration of Independence (UDI) in 1965, establishing Rhodesia as an independent country. The international community did not accept the UDI during that time. The Chimurenga War was a guerrilla war that lasted from 1966 until 1979 in Rhodesia. The Rhodesian government fought the war against the Zimbabwe African National Liberation Army (ZANLA), a black nationalist force. The Lancaster House Agreement brought the war to an end in 1979. Rhodesia obtained independence from the United Kingdom in 1980. After the declaration of independence, opposition groups in Rhodesia turned to political violence, including economic decline, political instability, and human rights abuses which were between ZAPU (Zimbabwe African People's Union) and ZANU (The Zimbabwe African National Union) was a militant socialist organization which was led by Robert Mugabe.²

¹ Watts Carl and Ian Smith, "Rhodesia's Unilateral Declaration of Independence: An International History," ResearchGate, https://www.researchgate.net/publication/234940263_Rhodesia's_Unilateral_Declaration_of_Independence_An_International_History. Last access March 14, 2023.

² Simson H., "Zimbabwe a country Study," ETH Zürich, <https://www.files.ethz.ch/isn/97513/53.pdf>. Last access March 14, 2023.

1.1 The Second Chimurenga or The Rhodesian Bush War

The Second Chimurenga, also known as the Rhodesian Bush War or the Zimbabwe Liberation War, refers to the guerrilla war of 1966-1979, which led to the end of white-minority rule in Rhodesia that lasted for 15 years for it to become independent.³ The Rhodesian Bush War was a civil war that took place from July 1964 to December 1979 between the members of the Zimbabwe African National Liberation Army (ZANLA) against the leadership of the political party of the Zimbabwe African National Union (ZANU) and ZAPU (Zimbabwe African People's Union). There were three kinds of stages: the Rhodesian government led by Ian Smith and Bishop Abel Muzorwa, the Zimbabwe African National Liberation Army (ZANLA), and the Zimbabwe People's Revolutionary Army led by Joshua Nkomo. The Rhodesian Bush War was a long and bloody conflict that had a profound impact on Zimbabwe; that was a struggle for political power, self-determination, and an end to white minority rule to seek equal rights for the African majority.⁴ However, the war caused immense human suffering, including displacement, death, and destruction. By 1980, Rhodesian military forces weren't any more capable of preventing insurgent militants from entry into the country.

1.2 Independence of Zimbabwe

The Independence of Rhodesia was a pivotal moment in the country's history and marked the end of over eighty (80) years of British colonial rule.⁵ It was a major turning point in Zimbabwe's history. The end of colonialism brought about significant changes in the political, social, and economic structures of the country. The newly formed Republic of Zimbabwe, Robert Mugabe, assumed office as its Prime Minister on April 18, 1980. The

³ R. Palmer, "Zimbabwe: A Land Divided," 1992, Oxfam Digital Repository, <https://oxfamilibrary.openrepository.com/handle/10546/121463>. Last access March 11, 2023.

⁴ Baxter Peter, "Bush War Rhodesia 1966-1980 Africa@War," Helion & Company, <https://www.helion.co.uk/military-history-books/bush-war-rhodesia-1966-1980-.php>. Last accessed March 14, 2023.

⁵ Watts C., "Britain, the Old Commonwealth and the Problem of Rhodesia Independence, 1964-65". <https://www.jstor.org/stable/4187790>. Last access March 14, 2023.

country entered a new era of self-determination and sovereignty called the “developmentalist” phase. The establishment of an independent Zimbabwe was the result of a long and difficult struggle, with many sacrifices made along the way with many struggles including political and economic, which led to the criticism of the Mugabe government’s policies and practices. While there were challenges to overcome, the people of Zimbabwe were able to chart a new path for their nation, shaping the Zimbabwe of today. Nevertheless, it was a crucial step in the country's quest for legitimate freedom and democracy.

1.2.1 Pre-Independence During British Colonization

The British South Africa Company colonized Zimbabwe in the late 19th century and was known as Rhodesia and was led by the white minority government that had complete control over all aspects of life in the country between 1923 to 1980. The ninety (90) years of Rhodesian colonial power and rule were marked by white minority rule, the Unilateral Declaration of Independence, the Chimurenga War, and independence. The legacy of Rhodesian rule continues to be felt in Zimbabwe today, including economic inequality, political disenfranchisement, and social segregation, as well as the trauma of the Chimurenga War from 1966 to 1979.⁶ The pre-independence period was marked by a struggle for independence led by nationalist movements such as the Zimbabwe African National Union (ZANU) and the Zimbabwe African People's Union (ZAPU).⁷ Over the following decades, the country saw various political and economic changes, including the Unilateral Declaration of Independence in 1965 by the white minority government.⁸ In the next few decades, the colonial administration

⁶ Vambe, Lawrence, “From Rhodesia to Zimbabwe,” AbeBooks, <https://www.abebooks.com/9780434825417/Rhodesia-Zimbabwe-Vambe-Lawrence-0434825417/plp>. Last access March 14, 2023.

⁷ “BTI 2022: Zimbabwe,” Bti-project.org, <https://bti-project.org/en/reports/country-dashboard/ZWE>. Last access March 14, 2023.

⁸ Bridget M. Mupfuvi, “LAND TO THE PEOPLE: Peasants and nationalism in the development of land ownership structure in Zimbabwe from pre-colonialism to the Unilateral Declaration of Independence (UDI) period,” Salford University Repository, https://salford-repository.worktribe.com/preview/1497029/Final_Copy_PhD_Thesis_Bridget_M_Mupfuvi.pdf. Last access March 14, 2023.

imposed regulations and policies that limited the rights and freedoms of the indigenous population. These policies led to protests, uprisings, and the ultimate struggle for independence.

1.2.2 Post-Independence 1980

Independence from the British was obtained by Rhodesia, now called Zimbabwe, on April 18th of 1980. Zimbabwe experienced a shift towards democratic rule following independence, with Robert Mugabe as the first black Prime Minister, followed by a period of political and economic instability. Zimbabweans struggled relentlessly for their freedom, which they finally achieved in 1980. With independence, Zimbabweans entered into a new era of hope and prosperity for all. Despite the challenges and hardship, the post-independence period of Zimbabwe saw the implementation of policies that aimed to uplift the country's economy and empower the people. Following independence, the country experienced significant political and economic changes in the years, and these had a profound impact on its people, with both positive and negative impacts. However, there were challenges and difficulties that the country faced, including high inflation rates and political tension that persisted long after independence was achieved. Nevertheless, upon gaining independence in 1980, Zimbabwe faced a new set of challenges as it strove to build a stable, democratic regime and a strong economy.⁹ However, between 1980-1987 there was a conflict called the “Matabeleland Conflict,” which focused on political and military processes that eventually led up to the first army desertions, as well as sharing the background, purposes, and framework of the three dissident groups involved. Despite the challenges, Zimbabwe has made progress in various areas and continues to work towards a brighter future.

⁹ “Press and Politics in Zimbabwe,” African Studies Quarterly, <https://asq.africa.ufl.edu/wp-content/uploads/sites/168/Mukasa-Vol-7-Issues-23.pdf>. Last access March 16, 2023.

1.3 A New Zimbabwe

After years of bitter armed conflict, Zimbabwe became independent in 1980, full of promise and hope that the future would be one of economic prosperity, political freedom, and a generally decent livelihood for all and that the nightmarish past of the colonial period was gone forever. For the first decade, with the exception of the people of Matabeleland, who were subjected to the horrors of the Gukurahundi massacres, which were hidden from the rest of the population through rigorous press censorship, it seemed as if the good times had eventually come. There were many pro-people policies that made a real positive difference in people's lives. The incoming government expanded the country's education facilities and provided free primary school education and free health services to the poor majority. It subsidized basic consumer products such as the main staple food mealie meal (corn meal), milk, and cooking oil to lessen the cost of food for the poorest, while at the same time decreeing a minimum wage law to ensure a decent standard of living for the hitherto marginalized segments of the population.

By the mid-1990s, however, the optimism of a good life for all was dispelled. In its place was a deep sense of despair in the face of mounting inflation and unemployment, declining household incomes, the instability of the economy, growing poverty, particularly in the urban areas, and severe housing shortages for the urban poor.¹⁰

1.4 Democratic Development

One of the defining and clear beliefs of democracy is the existence of certain political and civil rights that include freedom of expression, freedom of the press, and freedom to choose any organization of choice. Equally important is social and economic justice and the

¹⁰ Mlambo Alois S., "A History of Zimbabwe," Cambridge University Press, <https://www.cambridge.org/core/books/history-of-zimbabwe/09220ECF68826C88B7922F55C5D24568>. Last access May 4, 2023.

performance of the government in this regard. We thus make a distinction between how people view their political lives and how they see their social and economic lives in post-colonial Zimbabwe. In this term, the former refers to political rights, and the latter to substantive or economic rights. However, based on survey data, some Zimbabwean feel that the post-independence dispensation accords them more political rights than under the white minority regime. They feel freer to express themselves more, join political organizations, choose a candidate or party of their choice at elections, and are less fearful of being arrested by the police for no apparent offense. On the other hand, regarding economic or substantive rights, Zimbabweans feel more insecure and unsafe than they were in pre-independence regarding safety and security.¹¹

1.5 The Relations Between Southern Africa and Zimbabwe 1994-2000

Southern Africa is a region of Africa that consists of twelve countries: Angola, Botswana, Comoros, Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe. The relations between Southern African countries and Zimbabwe have been complex and have changed over time. The two regions have been connected by geography, trade, and culture for centuries.

1.5.1 The Relations in the 1990s-2000s

In the early 1990s, Zimbabwe was a member of the Frontline States, a group of countries that supported the struggle against apartheid in South Africa. After South Africa's transition to democracy in 1994, Zimbabwe became a key player in regional politics. The country hosted the Southern African Development Community (SADC) summit in 1996 and 1998. Zimbabwe also played a key role in the negotiations that led to the signing of the Lusaka Protocol in 1999,

¹¹ Chikwanha Annie B., "Democracy and National Governance in Zimbabwe: A Country Survey Report," ETH Zürich, <https://www.files.ethz.ch/isn/98373/AfropaperNo12.pdf>. Last access May 20, 2023.

which ended the civil war in Angola.¹² However, Zimbabwe's relations with its neighbors deteriorated in the late 1990s and early 2000s due to the country's economic decline and political instability. The Commonwealth of Nations suspended Zimbabwe in 2002 for breaching the Harare Declaration, which is a document that sets out the values and principles of the Commonwealth.¹³ The suspension was imposed due to concerns about the Zimbabwean government's human rights record, its electoral process, and its economic policies. The European Union imposed sanctions on Zimbabwe in 2002.¹⁴ The sanctions target individuals and entities that are responsible for human rights abuses, corruption, or undermining democracy in Zimbabwe. The sanctions include a travel ban, an asset freeze, and a prohibition on financial transactions.

1.5.2 The Relations in 2013 to the Present

The relations between Southern African countries and Zimbabwe have improved somewhat in recent years. In 2013, Zimbabwe was readmitted to the Commonwealth of Nations.¹⁵ In 2015, Zimbabwe and South Africa signed a trade agreement that aimed to boost economic cooperation between the two countries. In 2016, Zimbabwe hosted the SADC summit. In 2019, Zimbabwe and Botswana agreed to work together to combat cross-border crime. In 2020, Zimbabwe and Mozambique signed a cooperation agreement on energy and infrastructure development. In 2023, the United States government imposed new sanctions on Zimbabwe, which are to pressure the government to improve its human rights record and to

¹² UN Peacemaker, "Ceasefire Agreement (Lusaka Agreement)," UN Peacemaker, <https://peacemaker.un.org/drc-lusaka-agreement99>. Last access May 9, 2023.

¹³ "Withdrawals and Suspension," Commonwealth of Nations, <https://www.commonwealthofnations.org/commonwealth/commonwealth-membership/withdrawals-and-suspension/>. Last access May 22, 2023.

¹⁴ Kc M. L, "Zimbabwe - EU Sanctions. EU Sanctions," EU Sanction, <https://www.europeansanctions.com/region/zimbabwe/>. Last access May 18, 2023.

¹⁵ "Commonwealth speeds up Zim readmission," Government of Zimbabwe, <http://www.zim.gov.zw/index.php/en/news-room/vision-2030/483-commonwealth-speeds-up-zim-readmission>. Last access August 14, 2023.

hold accountable those who are responsible for human rights abuses.¹⁶ Therefore, the international community has also provided some support to Zimbabwe. The United Nations, the African Union, and other organizations have provided humanitarian assistance to Zimbabwe, and they have worked to promote political dialogue and reconciliation. The World Bank and the International Monetary Fund have also provided loans to Zimbabwe to help the country stabilize its economy.¹⁷ The relations with its neighbors are now improving, and they are working to resolve the conflicts more peacefully with each other. However, there are still a number of issues to improve and to cooperate with.

The Commonwealth of Nations, the African Union, the United States, and the European Union all imposed sanctions on Zimbabwe in response to concerns about the country's human rights record, its electoral process, and its economic policies. The sanctions were designed to pressure the Zimbabwean government to improve its human rights record and to hold free and fair elections. The sanctions have had some success in achieving these goals, but there is still more work to be done.

¹⁶ Ministry of Foreign Affairs & International Trade, "Impact On Zimbabwe And The Region Of The Unilateral Sanctions Imposed By The United States Of America And The European Union," 2020, Ministry of Foreign Affairs & International Trade, <http://www.zimfa.gov.zw/index.php/component/k2/item/49-impact-on-zimbabwe-and-the-region-of-the-unilateral-sanctions-imposed-by-the-united-states-of-america-and-the-european-union>. Last access May 20, 2023.

¹⁷ IMF, "Zimbabwe and the IMF," 2019, IMF, <https://www.imf.org/en/Countries/ZWE>. Last access May 20, 2023.

CHAPTER 2: INTERNATIONAL LAW AND ZIMBABWE'S FOREIGN POLICY

After its independence, Zimbabwe seems to have several legal obligations under international law, including treaties, conventions, and other agreements in order to restore its country's development. These obligations are binding and require Zimbabwe to take certain actions or reform certain activities.

2.1 The Terms Foreign Policy and International Law

Foreign Policy is defined as a mechanism that the national government utilizes as a guide to direct their diplomatic relations and cooperation with other countries.¹⁸ A nation's foreign policy serves to advance its political and economic objectives in the international arena while reflecting its values and goals.¹⁹ Many foreign policies place a high emphasis on national and international issues. Moreover, it will also influence how a country engages with international organizations such as the United Nations and people of other countries.

Zimbabwe's foreign policy listed under its constitution state as follows,

1. *The foreign policy of Zimbabwe must be based on the following principles*
 - *the promotion and protection of the national interests of Zimbabwe;*
 - *respect for international law;*
 - *peaceful coexistence with other nations; and*
 - *the settlement of international disputes by peaceful means.*
2. *The State must promote regional and pan-African cultural, economic, and political cooperation and integration and must participate in international and regional*

¹⁸ FindLaw, "What Is International Law?" June 20, 2016, <https://www.findlaw.com/hirealawyer/choosing-the-right-lawyer/international-law.html>. Last access May 22, 2023.

¹⁹ "¿Qué Es La Política Exterior? | Blog UE," Universidad European, May 13, 2022, <https://universidadeuropea.com/en/blog/what-is-foreign-policy/>. Last access May 22, 2023.

*organizations that stand for peace and the well-being and progress of the region, the continent, and humanity.*²⁰

The Zimbabwe constitution showed that international law is an important principle that needs to be considered in Zimbabwe's foreign policy.

In the traditional term, **International Law** is referred to as the "law of nation" or the rules that apply to states in their relations with each other.²¹ However, as the world evolved, this definition was no longer suitable as the actors and the scope began to change. Unlike before, in which the actor has only states or nations, today, it has expanded to include other actors and non-state actors such as non-governmental organizations (NGOs), think tanks, and other individuals.

International law is a system consisting of conventions, rules, treaties, and agreements between nations. It determines how nations, their populations, and their companies engage with one another.²² There is no centralized legislative, executive, or judicial authority in international law. The system is based on the state's and government's willingness to carry out their commitment and obey the rule that has been set.²³

2.1.1 International Law and State Sovereignty

Under international law, the state has the right to protect its territorial sovereignty. National sovereignty is one of the most important factors to consider when drafting international law and implementing foreign policy. Some of the conventions mentioning the

²⁰ Constitute Project, "Zimbabwe 2013 Constitution," Constitute Project, https://www.constituteproject.org/constitution/Zimbabwe_2013. Last access June 15, 2023.

²¹ Whytock Christopher, "From International Law and International Relations to Law and World Politics," 2018, https://www.researchgate.net/publication/349466881_From_International_Law_and_International_Relations_to_Law_and_World_Politics. Last access June 23, 2023.

²² FindLaw, "What Is International Law," June 20, 2016, <https://www.findlaw.com/hirealawyer/choosing-the-right-lawyer/international-law.html>. Last access June 14, 2023.

²³ Ibid

integrity of state sovereignty include the **Peace of Westphalia** and the **Montevideo Convention**.

The Peace of Westphalia is a series of peace treaties signed in 1648 in the Westphalian city to end one of the worst conflicts in Europe.²⁴ This treaty has established one of the most important fundamental principles in international relations, which is “**Westphalian sovereignty**.”²⁵ This principle articulates that every nation-state has exclusive authority over its territory and internal affairs, free from interference from outside powers, and that all states, regardless of size, whether large or small, are treated equally under international law.²⁶ **Montevideo Convention** is a treaty that was signed on the 26th of December 1933. This convention codifies the theory of statehood.²⁷

For a country such as Zimbabwe to engage with other nations in international institutions or enter into any form of agreement, it needs to fit the criteria of the convention that has been mentioned above. In the event that any doubt arises regarding one’s sovereignty, international law may be applied, especially in the case of the right to **self-determination** used as a demand for **autonomy or secession**.

2.1.2 International Law and Human Rights

Human rights are one of the most important aspects of global affairs, and countries are rallied together to address this issue. Human rights were incorporated into the international legal and political sphere and have become a key element in governing states' foreign policy.

²⁴ “Peace of Westphalia,” Unacademy, <https://unacademy.com/content/upsc/study-material/general-awareness/peace-of-westphalia/>. Last access March 15, 2023.

²⁵ “The Peace of Westphalia and Sovereignty,” Lumen Learning, <https://courses.lumenlearning.com/atd-herkimer-westerncivilization/chapter/the-peace-of-westphalia-and-sovereignty/>. Last access March 15, 20223.

²⁶ Steven Patton, “The Histories the Peace of Westphalia and It Affects on International Relations, Diplomacy and Foreign Policy,” 2019, https://digitalcommons.lasalle.edu/cgi/viewcontent.cgi?article=1146&context=the_histories. Last access March 20, 2023.

²⁷ “Montevideo Convention,” 1933, <https://www.ilsa.org/Jessup/Jessup15/Montevideo%20Convention.pdf>. Last access March 20, 2023.

Countries, more often than not, have to consider if their potential alliance or partners has violated any human right law or not.

The state is required by international law to uphold human rights. A foreign policy's design and implementation must take into account human rights. Under both domestic and international law, a foreign policy tainted by human rights abuses is intolerable. This is due to the fact that human rights have received a lot of attention both domestically and internationally. A variety of non-governmental and international organizations have kept an eye out for violations of human rights. **The Universal Declaration of Human Rights (UDHR)** is one of the fundamental conventions that lists the basic rights of people. However, it has no legal binding on the state. But it remains the most important source of reference in the case of any violation or dispute that arises.

The effectiveness of international human rights law in addressing human rights violations in Zimbabwe has been limited. Zimbabwe has been a focus of international attention due to its human rights violations, including political repression, torture, and extrajudicial killings.²⁸

2.1.3 International Law and Conflict Resolution

International law has played a crucial role in providing many frameworks to help negotiate, mediate and arbitrate any conflict that arises between state and state. It is an essential tool for a peaceful solution and for avoiding armed conflict. Besides providing a framework, international law also provides a court and tribunals for a fair and just decision for the state.

Two of the biggest international courts are the **International Criminal Court and the International Court of Justice**. The International Court of Justice (ICJ) has been crucial in

²⁸ United States Department of State, "2022 Country Reports on Human Rights Practices: Zimbabwe," United State Department. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/zimbabwe/>. Last access July 1, 2023.

resolving conflicts between governments, including territorial claims, maritime disputes, and disputes over state boundaries. The rulings of the ICJ are final and enforceable, giving governments a strong incentive to abide by international law.

2.2 International Law and Zimbabwe

Zimbabwe's relationship with international law has evolved over time. From its colonial past to its current challenges, Zimbabwe has had to navigate a complex legal landscape. However, it is clear that Zimbabwe's adherence to international law is crucial for its development and progress. It is important to remember that international law is not just an abstract concept but something that affects real people and communities. By upholding its legal obligations, Zimbabwe can help ensure a more just and equitable world for all.

As a member of the international community, Zimbabwe is subject to these laws and has to abide by them in its interactions with other states. These laws cover a range of areas, including diplomatic relations, trade, human rights, and war. One way in which International Law influences Zimbabwe's foreign policy is through the country's membership in international organizations such as the United Nations. Zimbabwe has ratified various international treaties and conventions that guide its foreign policy decisions, and it must uphold its obligations under such agreements. Moreover, International Law shapes Zimbabwe's foreign policy in relation to issues such as human rights, democracy, and the rule of law. Zimbabwe's foreign policy decisions often reflect its adherence to international human rights standards and norms, as well as its commitment to democratic principles and good governance. Overall, International Law is a crucial factor in shaping Zimbabwe's foreign policy, as it provides a framework for the country's interactions with the international community and guides its decisions on a range of issues.²⁹

²⁹ "Zimbabwe 2013 (rev. 2017) Constitution - Constitute," 2017, Constitute Project, <https://www.constituteproject.org/constitution/Zimbabwe>. Last access May 2, 2023.

2.3 The Processing Formulation of Adopting Zimbabwe's Foreign Policy

The Head of State or Government has the authority to formulate the foreign policy, and the Head of State or Government or the Minister of Foreign Affairs will then express it.³⁰ In some cases, the legislature may also exercise significant control over the creation of such policy. Thus, the President of the Republic of Zimbabwe establishes the guidelines for the nation's foreign policy, but other government departments, such as those in charge of foreign affairs, defense, industry and commerce, regional integration and international cooperation, health and child welfare, and transport and infrastructure development, also have a significant impact on how the foreign policy of the nation is developed.³¹ Through parliamentary discussions and the adoption of international and foreign treaties, the Zimbabwean Parliament directly contributes to the country's foreign policy; particularly, the Ministry of Foreign Affairs is tasked with coordinating the implementation of Zimbabwe's foreign policy through its interface with foreign envoys in Zimbabwe and abroad, relying primarily on its staff at its head office and at its diplomatic Missions situated strategically around the world.³²

2.3.1 The Foreign Policy Under the Leadership of Mugabe (The Look East Policy)

As Zimbabwe was under the lead of Mugabe, the **Look East Policy** was the main policy that the country exercised and implemented. Zimbabwe officially declared this policy in 2003 in the face of economic sanctions by the West.³³ Additionally, during the time when Mugabe was still the president of Zimbabwe, there were many criticisms regarding human rights abuse, political problems, and so on from Western countries.³⁴ The purpose of this policy was to move

³⁰ Ministry of Foreign Affairs & International Trade, "Foreign Policy," Ministry of Foreign Affairs & International Trade, <http://www.zimfa.gov.zw/index.php/about-us/foreign-policy>. Last access April 5, 2023.

³¹ Ibid.

³² Supra note 29.

³³ Stellenbosch, "Economic repercussions of the Look East Policy in Zimbabwe," Scholar.sun.ac.za, <https://scholar.sun.ac.za/handle/10019.1/101548>. Last access March 5, 2023.

³⁴ Muchena Deprose, "Zimbabwe: Robert Mugabe's legacy," Amnesty International, <https://www.amnesty.org/en/latest/news/2017/12/zimbabwe-robert-mugabe-legacy/>. Last access April 7, 2023.

towards Eastern states as the country had a tense and unfriendly interaction with Western countries. The **Look East Policy** aimed to enhance bilateral and trade connections and prioritize investors from Malaysia, Singapore, Vietnam, Japan, South Korea, India, and Russia, and has increasingly focused on China to the detriment of other countries.³⁵ It reflects that, by using this policy, Mugabe isolated the nation from the West and brought closer cooperation and alliances with the East instead, such as China, Russia, and other countries that could bring benefits to Zimbabwe in order to improve the economy and development. However, due to the fact that the Zimbabwean government did not foresee this policy in circumstances that were replete with abuses of labor laws, extraction of mineral resources, and the flooding of cheap goods to the detriment of local industries and its people.³⁶ The Zimbabwean government was both politically motivated and responded to the necessities of economics in the absence of support from the West.³⁷

2.3.2 The Foreign Policy Under Mnangagwa

Zimbabwe's foreign policy under Mnangagwa is a combination of pragmatism, realism, and neoliberalism. However, Zimbabwe's foreign policy has made significant changes which have actively sought to repair international relations with foreign states and actors, especially with the Western countries, which is a priority of his foreign policy to help reinforce, increase engagement, and to open the approach of cooperation for Zimbabwe to the international stages as well as to renewed the "**Look East Policy**" to seek more investment with China. The Government of Zimbabwe (GOZ) has re-engaged with foreign countries by adopting a new

³⁵ Jeremy Youde, "Why Look East? Zimbabwean Foreign Policy and China", JSTOR, <https://www.jstor.org/stable/4187790>. Last access March 20, 2023.

³⁶ African Journals Online, "Look East or Look Least? The Zimbabwean Experience of Chinese Economic Investment in Selected Texts and Examples," African Journals Online, <https://www.ajol.info/index.php/ajgd/article/view/118358>. Last access March 10, 2023.

³⁷ Bibliothek der Friedrich Ebert Stiftung, "The Look East Policy of Zimbabwe now focuses on China," 2004, <https://library.fes.de/pdf-files/iez/50063.pdf>. Last access March 10, 2023.

policy called the “**Open for Business**” policy in 2018 in order to support Zimbabwe’s economy through the investment of foreign investors.³⁸

2.4 Current Zimbabwe’s Foreign Policy

Zimbabwe’s current foreign policy priorities revolve around strengthening relationships with key countries and organizations, as well as promoting regional integration. The country is prioritizing its relationship with China, which has become Zimbabwe’s largest trading partner and a key investor in the country’s infrastructure projects. Therefore, the relations with the West have sought to improve, which were strained under the previous president, Robert Mugabe. The **Open for Business** policy aims to make Zimbabwe more attractive to foreign investors by simplifying the investment process, reducing bureaucracy, and improving investment. The policy has taken to re-engage in order to improve relations with the West by lifting some of the restrictions on investment and trade. The government has implemented reforms to address corruption and improve the business environment, which has further attracted Western investors and provided hope for a brighter future for every aspect of society and the continued growth of the economy by attempting to reconcile strained connections and pursue a reform program that strengthened the people of Zimbabwe. In addition, Zimbabwe is looking to strengthen its ties with other African nations through the African Union and the Southern African Development Community, which are important platforms for regional cooperation.

2.4.1 Toward Superpower

After Robert Mugabe resigned, President Emmerson Mnangagwa became the third president of Zimbabwe on November 24th, 2017.³⁹ The current president has attracted and re-

³⁸ Supra note 29.

³⁹ Penman Maggie, “Zimbabwe Swears In A New President, In The First Transfer Of Power Since Independence,” November 24, 2017, *NPR*, <https://www.npr.org/sections/thetwo-way/2017/11/24/566341627/zimbabwe-swears-in-a-new-president-in-the-first-transfer-of-power-since-independ>. Last access July 13, 2023.

engagement with foreign countries to improve the relations with the West as well as with the East. Zimbabwe's foreign policy is to attract foreign investment and promote economic growth.

2.4.1.1 Toward the West (United States and United Kingdom)

In the early 2000s, the United States imposed sanctions on Zimbabwe in response to human rights abuses and election fraud. Since then, relations between the two countries have been tense, with Zimbabwe accusing the United States of interference in its internal affairs and the United States criticizing Zimbabwe's lack of democratic reforms. The United States is actively assisting Zimbabwe's efforts to reestablish democratic stability and economic recovery after a period of decline. This involves discovering trade and investment opportunities that can benefit both American and Zimbabwean businesses. Zimbabwe's recent leadership shift hopes to enhance trade relations with the West through reforms and the **Open for Business** approach.⁴⁰ In Fiscal Year 2021, the United States provided about \$317 million in bilateral assistance to Zimbabwe for initiatives related to democracy, government, agriculture, and health.

It is to note that the country should also pay a close attention to its relation with the USA; and EU. From the time that the country has been granted independent from U.K, the United States was the first nation to open an embassy in the country in 1980, and it pledged assistance toward Zimbabwe's economic development. The concerns that the USA has concerned and shall be addressed are the Mugabe Administration's undemocratic practices, human rights abuses, and economic mismanagement prompted the United States Congress to pass in 2001 (and amend in 2018) the Zimbabwe Democracy and Economic Recovery Act (ZDERA). The law purports to restricts U.S. support for multilateral financing to Zimbabwe until Zimbabwe makes specified political and economic reforms. Since 2003, the U.S.

⁴⁰ The Exchange, "Trade Relations between Zimbabwe and the USA," The Exchange, November 25, 2021, <https://theexchange.africa/industry-and-trade/cold-war-trade-relations-zimbabwe-usa/>. Last accessed, July 10, 2023.

Department of the Treasury has imposed targeted financial sanctions against individuals and entities in connection with undermining democracy, human rights abuses, or public corruption. In response to Mugabe's continued repression, the United States also imposed visa restrictions on certain individuals, a ban on transfers of defense items and services destined for or originating in Zimbabwe, and suspended certain government assistance. In November 2017, military pressure, public demonstrations calling for President Robert Mugabe's removal, the ruling party's vote of no confidence, and impeachment proceedings led to Mugabe's resignation. Former Vice President and Minister of Defense Emmerson D.

Mnangagwa replaced him and was sworn in on November 24, 2017, to serve the remainder of Mugabe's term.

Mnangagwa won the presidency in his own right in July 2018 in an election that was improved compared to Zimbabwe's previous elections, but still very flawed according to international election observers.

Despite promises of reform, the Mnangagwa Administration continues to use violence against peaceful protestors and civil society, as well as against labor leaders and members of the political opposition. The Zimbabwean government has made little progress in implementing the broad reforms the country needs.

The United States shares the same fundamental interest as the Zimbabwean people: a stable, peaceful, democratic Zimbabwe that reflects the people's will and provides for their needs. The USA support for the people of Zimbabwe includes ensuring that those Zimbabweans using their positions of power to undermine democratic progress are not benefiting from their actions. USA has made it clear that credible, transparent, and lasting democratic reforms must precede an easing of restrictive measures. In FY 2021, the United States provided over \$317 million in bilateral assistance to support democracy and governance, agriculture, and health

programming. In addition, the United States provided \$51 million in FY 2021 in humanitarian assistance to Zimbabwe. Since 2002, U.S. Agency for International Development (USAID) assistance has supported the people of Zimbabwe to strengthen health services, increase food security, support economic growth, and promote democratic governance. Notwithstanding ongoing anti-democratic and repressive practices by the Government of Zimbabwe which continue to affect the bilateral relationship, the United States remains the largest provider of health and humanitarian assistance, including through the U.S. President's Emergency Plan for AIDS Relief (PEPFAR), food assistance and disaster relief, to the people of Zimbabwe.

In 2000, the Centers for Disease Control and Prevention (CDC) began a direct assistance program. CDC's program consists of prevention of HIV transmission; improved care of persons with HIV/AIDS; surveillance, monitoring, and evaluation of the epidemic; and health sector infrastructure support. Since 2006, PEPFAR has coordinated intensively with the Global Fund, health development partners, civil society, and others contributing to the national HIV response.

The United States maintains a thriving series of educational and cultural exchange programs with Zimbabwe that focus on deepening ties between American and Zimbabwean professionals and leaders, particularly amongst academics, researchers, journalists, entrepreneurs, and emerging leaders. We leverage tools like Fulbright Scholars, grants, and Education USA to establish university partnerships that will increase U.S.-Zimbabwe research collaboration and expand professional networks on shared priorities. Zimbabweans prize U.S. tertiary education above all others – with over 1,300 enrolling in American universities each year. Education USA enables us to invest in Zimbabwe's future leaders and deepen their ties to the United States and its values.

As our Mission does its part to encourage the return of democracy in Zimbabwe, the United States has focused on encouraging members of the public to defend their rights to

freedom of expression and freedom of the media as set forth in Zimbabwe’s Constitution. The ruling party has “captured” media houses to control the editorial narrative. They have overtaken independent commissions whose role is to protect media freedoms. They have also deployed a disinformation campaign that overshadows the voice of both the public and the press. The United States uses programs like the International Visitor Leadership Program (IVLP), the Humphrey Fellowship, Speakers programs and more to keep on the public’s mind the importance of the right to freedom of expression in and of itself for a thriving democracy. Further, the underpinning of good journalism is a strong business plan. U.S. programs aim to connect media leaders with their American counterparts to be part of a global discussion on the evolving business of good media in a digital age.

The American value for entrepreneurship means more than just building a business. It is the essence of what makes an economy inclusive. U.S. initiatives such as the Young African Leaders Initiative, our American Centers’ professional development curriculum, and the Academy for Women Entrepreneurs, help emerging leaders build business skills to create jobs, enter e-markets, design successful campaigns, and network with their American counterparts to realize their potential.

The U.S. Government works to promote Zimbabwe’s democratic and economic recovery following years of decline, and to highlight opportunities for trade and investment that will benefit U.S. and Zimbabwean businesses alike. The U.S. Government provides guidance to U.S. businesses to help them take advantage of opportunities in Zimbabwe and promote economic ties between the two countries. U.S. policies such as targeted financial sanctions do not prevent U.S. or international businesses from operating in Zimbabwe—only prohibiting them from transacting with sanctioned persons.

Since independence, Zimbabwe has enunciated and follows a policy of “active nonalignment.” Zimbabwe and the United States belong to several the same international organizations, including the United Nations, International Monetary Fund, World Bank, and World Trade Organization.

Zimbabwe’s foreign policy towards the United Kingdom has been strained since the country gained independence in 1980. The United Kingdom was Zimbabwe’s colonial ruler and played a significant role in shaping the country’s political and economic landscape. The economic integrations between the United Kingdom and Zimbabwe have taken on diverse forms in recent years. The United Kingdom supports Zimbabwe's development to prioritize the reduction of poverty to establish a clear framework for evaluating the essential development of the economic and governance adaptations. The United Kingdom contributes to supporting Zimbabwe to achieve long-term, transparent, and sustainable growth, democracy, and development. Increased trade and investment are necessary for the growth of cooperation, together with patience, persistent diplomacy, policy discussion, and focused development support.⁴¹

2.4.1.2 Toward the East (China and Russia)

Zimbabwe and China have had a long-standing relationship back to the 1960s when China supported Zimbabwe’s liberation struggle against British colonialism. After Zimbabwe gained independence in 1980, China continued to provide economic and military aid to the country. In recent years, Zimbabwe has strengthened its ties with China, particularly in the areas of trade and investment. China is now Zimbabwe’s target trading partner, which is invested heavily in Zimbabwe’s infrastructure, including the construction of a new parliament building

⁴¹ GOV.UK, “UK–Zimbabwe development partnership summary,” 2023, GOV.UK, <https://www.gov.uk/government/publications/uk-zimbabwe-development-partnership-summary/uk-zimbabwe-development-partnership-summary-july-2023>. Last access July 12, 2023.

and a new airport terminal in the capital city of Harare. China stands ready to work with Zimbabwe to jointly plan a new blueprint for bilateral cooperation and continue the relations with China-Zimbabwe, so as to better benefit their own nations. China is willing to support Zimbabwe in interfering with external states. Zimbabwe supported the “**One Country, Two Systems**” and pursued the one-China policy.⁴² The two countries deepened the cooperation on the framework of the “**Belt and Road Initiative**” and the **Forum in China-Africa Cooperation. (FOCAC)**.⁴³

Zimbabwe has also been seeking to diversify its foreign policy and has been building closer ties with countries outside of the Western sphere of influence. Zimbabwe’s foreign policy toward Russia is largely driven by economic factors. Zimbabwe has been struggling with a weak economy and high unemployment and has been looking for ways to boost its economy. Russia has been investing heavily in Zimbabwe’s mining sector, which is a key contributor to the country’s economy. Moreover, Zimbabwe’s foreign policy toward Russia is also influenced by political factors. Zimbabwe has been facing criticism from Western countries over its human rights record and its handling of elections. Russia has been supportive of Zimbabwe in international forums and has been a key ally in countering Western pressure.

2.4.2 Zimbabwe’s Foreign Policy Towards South Africa

When investigating the foreign policy of Zimbabwe one has to consider the ruling party (ZANU – PF), and how it rules and governs. This is because, as international relations theory shows, domestic policy works hand in hand with foreign policy. ZANU – PF came into power through

⁴² Ministry of Foreign Affairs of the People Republic of China, “Qin Gang Holds Talks with Minister of Foreign Affairs and International Trade of Zimbabwe Frederick Shava,”

https://www.fmprc.gov.cn/eng/wjdt_665385/wshd_665389/202305/t20230531_11086310.html. Last access July 12, 2023.

⁴³ Ministry of Foreign Affairs of the People Republic of China, “Xi Jinping Holds Talks with President Emmerson Mnangagwa of Zimbabwe The Two Heads of State Jointly Agree to Establish China-Zimbabwe Comprehensive Strategic Cooperative Partnership,” 2018, Ministry of Foreign Affairs of the People Republic of China,

https://www.fmprc.gov.cn/eng/gjhdq_665435/2913_665441/3119_664264/3121_664268/201804/t20180408_547838.html. Last access July 14, 2023.

an extensive struggle. For this reason, the new government's aims at the time were to stabilize Zimbabwe, consolidate nation-building, and resolve the land crisis in a peaceful manner. At this time, the most powerful country in the region was Apartheid South Africa. During this time South Africa followed a policy of destabilization in the African region, which refers to South Africa using force to attain its foreign policy goals – it backed UNITA in Angola, it provided covert military assistance to the anti-FRELIMO insurgency, RENAMO, and it threatened military intervention (which occurred) and imposed sanctions on Lesotho. In terms of international relations theory, one could say that Zimbabwe's political objectives in the early 1980's were 'realist' in nature. This refers to the school of Realism and its focus on the state itself – the most important factor being state power and state interest. Realism also upholds the notions of sovereignty and diplomacy, and in this regard, Zimbabwe respected South Africa's sovereignty by not militarily intervening in Apartheid.

Zimbabwe needed to keep up trade with South Africa for economic reasons, yet on the other hand it too was housing ANC supporters. Zimbabwe realised this, and decided that it needed regional support. For this reason, Zimbabwe's focus turned to regional diplomacy. The country joined the Non – Aligned Movement (NAM) in the early 1980's, and Mugabe became chairman in 1986. NAM stands for sovereignty, non – aggression, human rights, and non – discrimination, among other principles. This was important to Zimbabwe, because joining a force that protected sovereignty and was against discrimination gave her allies where South Africa was concerned. The country joined SADCC for the same reasons.

2.4.3 Zimbabwe's Foreign Policy Towards International Cooperation

Zimbabwe is a member of the United Nations to participate in regional organizations such as the **African Union (A.U.)**, Zimbabwe has been bound by a set of rules and norms that guide its interactions with other states and international actors.

2.4.3.1 Southern Africa Development Community (SADC)

The Southern African Development Community was formed after the creation of the Southern African Development Coordination Conference (SADCC), with Zimbabwe as one of the founding members.⁴⁴

The SADC was formally launched in April 1980 at a summit in Lusaka, and at that time, it consisted of nine independent southern African countries. Its goal was to organize and mobilize development aid and promote regional cooperation. However, around the 1980s, there was a desire to become more regionally integrated. In 1992, after four years of preparation, the government of the state in the region signed a Declaration and Treaty establishing the Southern Africa Development Community (SADC).

2.4.3.2 Eastern and Southern Africa Region (ESAR)

The Eastern and Southern Africa Region (ESAR) consist of 22 countries, one of which includes Zimbabwe. Despite difficult global macroeconomic conditions, Eastern and Southern Africa's (ESAR) and Africa's overall economic outlooks remain positive. The discovery and exploitation of mineral resources is what fuels Africa's economic progress. Oil, gas, and solid mineral-rich nations are among the top performers. Precious metals and minerals, such as gold and diamonds from South Africa and platinum from Zimbabwe, are the main exports for nations in Southern Africa. Through ESAR, Zimbabwe's able to sign the interim **Economic Partnership Agreement (EPA)** with the European Commission in 2009.⁴⁵

⁴⁴ SADC, "History and Treaty" SADC, <https://www.sadc.int/pages/history-and-treaty>. Last access July 12, 2023.

⁴⁵ International Trade Administration, "Zimbabwe - Trade Agreements," International Trade Administration, <https://www.trade.gov/country-commercial-guides/zimbabwe-trade-agreements#:~:text=Zimbabwe%20also%20signed%20the%20interim>. Last access July 14, 2023.

CHAPTER 3: THE POWER OF INTERNATIONAL LAW IN SHAPING ZIMBABWE’S FOREIGN POLICY

International law plays a significant role in shaping Zimbabwe's foreign policy by providing a framework for diplomatic relations, promoting peaceful resolutions to conflicts, and fostering cooperation among nations. Zimbabwe, as a member of the international community, is bound by various international treaties, conventions, and agreements that govern its interactions with other countries. These legal obligations influence Zimbabwe's decision-making process and guide its actions on issues such as human rights, trade, and security. International law also provides a platform for Zimbabwe to engage in multilateral forums, where it can voice its concerns, negotiate agreements, and contribute to global decision-making processes.⁴⁶ By adhering to international legal norms, Zimbabwe can enhance its credibility, build trust with other nations, and work towards a more stable and prosperous future.

3.1 The International Law Influence on Foreign Policy

The influence of International Law is a positively integral part of Zimbabwe’s foreign policy that benefits vitally to Zimbabwe in shaping its policy with a powerful capacity in which international law can doubly bolster the policy system to be more stable and multi-beneficial to the nation. International law is multifunctional to serve both key parts that could be in terms of international development and domestic development and international law shaping the future of Zimbabwe in economic, political, and social development. Therefore, international law has forwarded the wide vision of urging Zimbabwe to be able to contain its self-standing spot legally without invasion, threat, takeover, or domination from other states, and especially

⁴⁶ OECD, “Zimbabwe joins Global Forum as the 167th member,” 2023, OECD, <https://www.oecd.org/tax/transparency/documents/zimbabwe-joins-global-forum-as-167th-member.htm>. Last access June 25, 2023.

international law can actually elevate the protection and maintenance of Zimbabwe's territory and national interest.

3.1.1 Benefit of Zimbabwe in International Development

Over the years, international law has significantly influenced Zimbabwe's foreign policy. International law plays a critical role in promoting Zimbabwe's development on an international level.

3.1.1.1 Economic and Social Interests

Zimbabwe's potential for future economic growth and improved living standards is promising, considering the strong foundation it has in place. The country's human capital is comparable to that of upper-middle-income economies in Sub-Saharan Africa, although certain sectors are experiencing skill shortages. Additionally, Zimbabwe is blessed with abundant mineral and natural resources that, if managed effectively, can significantly support the country's development objectives.

International development can promote trade and investment opportunities for Zimbabwe by engaging with foreign countries to attract **Foreign Direct Investment (FDI)** and establishing rules and norms for international trade, foreign investment, and global cooperation. International law creates a stable and predictable environment that is conducive to economic growth and development.⁴⁷

From 1980 to 2000, Zimbabwe received a total of \$1.6 billion in assistance from the **World Bank Group (WBG)**. Regrettably, direct lending was halted in 2000 as a result of their inability to meet their debt obligations. However, the WBG remains actively engaged in Zimbabwe's development by providing financing from various trust funds, such as the **Zimbabwe Reconstruction Fund (ZIMREF)**, the **Global Financing Facility (GFF)**, the

⁴⁷ World Bank, "Zimbabwe Overview: Development news, research, data." 2023, World Bank, <https://www.worldbank.org/en/country/zimbabwe/overview>. Last access July 2, 2023.

Health Emergency Preparedness and Response Trust Fund (HEPRT), and the **Energy Sector Management Assistance Program (ESMAP)**, which all support specific sectors through funding of sector-specific activities.

In response to the devastating impact of Cyclone Idai in March 2019, the WBG took action to support the affected communities. Specifically, the Crisis Response Window of the **International Development Association (IDA)** provided an exceptional allocation of \$72 million towards the **Zimbabwe Idai Recovery Project (ZIRP)**. This project is designed to tackle both the early stages of recovery and the longer-term challenges associated with disaster recovery. Ultimately, ZIRP seeks to help those who were impacted by the cyclone to rebuild and move forward with their lives.

GFF has generously granted an extra \$25 million of funding to Zimbabwe's health sector to assist in its efforts to combat the COVID-19 pandemic. Moreover, aiming to support the **Zimbabwe COVID-19 Emergency Response Project's (ZCERP)** objective of distributing and maintaining COVID-19 vaccines through a robust and effective healthcare system, the HEPRT and ESMAP Trust Funds have provided an additional grant of \$6.6 million. These efforts will greatly strengthen Zimbabwe's health system capacity and contribute to the nation's response to the ongoing pandemic.⁴⁸

The Zimbabwe Multi-Donor Trust Fund (ZIMREF) has generously provided a monetary grant totaling one million U.S. dollars to bolster the Zimbabwe Risk and Resilience Project. The aim of this project is to fortify institutional systems and policy-related aspects of government-led disaster risk management.⁴⁹

⁴⁸ Supra note 47.

⁴⁹ African Development Bank, "Zimbabwe Multi-Donor Trust Fund," African Development Bank, <https://www.afdb.org/en/topics-and-sectors/initiatives-partnerships/zimbabwe-multi-donor-trust-fund>. Last access July 10, 2023.

The International Finance Corporation (IFC) is actively involved in providing technical assistance to different projects aimed at making a positive impact on society. One of their main areas of focus is expanding access to finance in the agricultural sector, which is essential for the growth and development of this crucial industry. Additionally, the IFC is also committed to enhancing the competitiveness of Victoria Falls, an important tourism destination in the region. This is being achieved through the Zimbabwe Destination Development Program - a comprehensive initiative that seeks to bolster the tourism sector in the country while also contributing to the overall economic growth and stability of the region.⁵⁰

The Social Protection and WASH pilot project has proved to be a remarkable initiative in keeping adolescent girls in school even after the school closures due to COVID-19. In order to achieve this, the pilot program invested in various approaches such as funding sensitization in schools, providing cash transfers and other financial aid to support the livelihoods of adolescent girls' families, offering advice on menstrual hygiene management, and ensuring access to adequate water and sanitation services. These measures have proven effective in addressing the challenges that hinder the educational progress of adolescent girls, particularly during a global health crisis.⁵¹

The following programs fall under ZIMREF:

- Fiscal and Budget Policy to improve systems for public expenditure and investment planning, resource mobilization, and development of a pipeline of feasible projects in key sectors, including program-based budgeting.

⁵⁰ IFC, "International Finance Cooperation," IFC, <https://www.ifc.org/en/home>. Last access July 14, 2023.

⁵¹ CARE International, "Piloting Social Protection and WASH Interventions to Keep Adolescent Girls in School in Zimbabwe: Environmental and Social Plan," 2022, CARE International, <https://www.care-international.org/resources/piloting-social-protection-and-wash-interventions-keep-adolescent-girls-school-zimbabwe>. Last access July 14, 2023.

- Private and Financial Sector: Support for the National Financial Literacy Framework and the Financial Consumer Protection Framework and establishing the **Zimbabwe Investment Development Agency (ZIDA)** and investment policies to improve the environment for investment.
- Financial Management support to establish a public procurement framework, improve the coverage and reporting of internal and external audits, and improve parliamentary and civil society oversight.
- Poverty Monitoring and integration into national strategy and planning documents. This included financing the 2017 **Poverty, Income, Consumption, and Expenditure Survey (PICES)**, the release of the 2017 Poverty Report, and the publication of poverty microdata for 2017 and 2019.
- Corporate Governance: ZIMREF helped to prepare the new Public Entities Corporate Governance Act, which will improve governance of state enterprises, particularly important for developing turnaround strategies in key sectors.
- Climate Change support to develop Zimbabwe’s climate policies, its pipeline of climate adaptation, and its mainstreaming of climate changes in investment planning.⁵²

3.1.1.2 Political Interests

Zimbabwe seeks to project a positive and attractive image of itself to the rest of the world, especially after years of isolation and sanctions that have damaged its credibility and trustworthiness. Zimbabwe is engaging in public diplomacy and cultural exchange activities, such as participating in international events, forums, and exhibitions; promoting its cultural heritage and diversity; and showcasing its achievements and potential. Some of the benefits of foreign policy for Zimbabwe’s political development could include:

⁵² Supra note 47.

- Improving relations with regional and international actors, such as the African Union, the Southern African Development Community, China, Russia, the U.K., the U.S., and the E.U.⁵³
- Zimbabwe is a member of the A.U., which is a continental organization that promotes unity, solidarity, peace, security, and development in Africa.⁵⁴ Zimbabwe participates in various A.U. initiatives and programs, such as the African Peer Review Mechanism, the New Partnership for Africa’s Development, and the African Continental Free Trade Area.
- Zimbabwe is also a member of the SADC, which is a regional organization that aims to foster economic integration, political stability, and social development in Southern Africa. Zimbabwe has benefited from SADC’s support and mediation in resolving its political crisis and implementing the 2008 Global Political Agreement.
- Zimbabwe has maintained close ties with China and Russia, which are two of its major economic and political partners. China and Russia have provided Zimbabwe with financial assistance, investment, trade, military cooperation, and diplomatic support, especially in opposing Western sanctions and interventions.
- Zimbabwe has also sought to re-engage and improve relations with the U.K., the U.S., and the E.U., which are some of the most influential actors in the international system. Zimbabwe hopes to restore trust, dialogue, and cooperation with these countries, as well as to lift or ease the sanctions that have been imposed on it for alleged human rights violations and democratic deficits.

⁵³ Ndimande Jefferson, and Knowledge G. Moyo, “Zimbabwe Is Open For Business: Foreign Policy Trajectory Under Emmerson Mnangagwa,” JSTOR, <https://www.jstor.org/stable/48531212>. Last access July 6, 2023.

⁵⁴ Rich Mashimbye, “The Role Of The Southern African Development Community (Sadc) In Conflict Resolution: The Case Of Zimbabwe From 2002 To 2014,” University of Pretoria, https://repository.up.ac.za/bitstream/handle/2263/60387/Mashimbye_Role_2017.pdf?sequence=1. Last access July 6, 2023.

- These relations are important for Zimbabwe’s political development because they can help Zimbabwe to address its domestic challenges, such as economic recovery, social cohesion, constitutional reform, and electoral legitimacy. They can also help Zimbabwe to enhance its regional and global role, influence, and reputation.
- Enhancing Zimbabwe’s image and reputation in the global arena, especially after years of isolation and sanction.⁵⁵
- Promoting democracy, human rights, the rule of law, and good governance through dialogue and cooperation with other countries and organizations. Zimbabwe is rebranding itself as a peaceful, democratic, and progressive nation that respects human rights, the rule of law, and good governance; that is committed to resolving its political and economic challenges; and is willing to learn from and contribute to the global community.
- Resolving conflicts and disputes peacefully and diplomatically with neighboring countries and other stakeholders.⁵⁶ Zimbabwe’s foreign policy is to resolve conflicts and disputes peacefully and diplomatically with neighboring countries and other stakeholders. This means that Zimbabwe tries to avoid violence or coercion and instead uses dialogue, negotiation, or mediation to solve problems with others. Zimbabwe also seeks to cooperate with regional and international organizations that promote peace and stability in Africa and beyond.⁵⁷

Zimbabwe has been constrained by a system of laws and conventions that govern its dealings with other nations and international entities, from its membership in the United

⁵⁵ Ministry of Foreign Affairs & International Trade, “Foreign Policy,” Ministry of Foreign Affairs & International Trade, <http://www.zimfa.gov.zw/index.php/about-us/foreign-policy>. Last access July 14, 2023.

⁵⁶ Ibid.

⁵⁷ Eve Nyemba, “Zimbabwe’s Post Independence Foreign Policy Trajectory in a Transforming International System,” Academia, https://www.academia.edu/27180795/Zimbabwe's_Post_Independence_Foreign_Policy_Trajectory_in_a_Transforming_International_System. Last access July 14, 2023.

Nations to its involvement with regional organizations like the African Union. **The Zimbabwe United Nations Sustainable Development Cooperation Framework (ZUNSDCF)** engages with the **United Nations Country Team (UNCT)** partnership with the government of Zimbabwe in order to transform the support to enhance economic growth, human rights, gender equality, and many more.⁵⁸ International law supports Zimbabwe's international development in facilitating international trade, which allows Zimbabwe to access new markets and resources that can help drive economic growth and create new opportunities for Zimbabwe and help Zimbabwe to ensure the trade is processed fairly and transparently among its trading partners.

Additionally, **The Swedish International Development Cooperation Agency (SIDA)** works with Zimbabwe to improve human rights, democracy, gender equality, environment, climate change, sustainability of resources, and economic development in order to reduce corruption, strengthen and use natural resources more sustainable, as well as to improve the Zimbabwean, especially to young people and women.⁵⁹ International development can foster diplomatic relations and regional cooperation. By collaborating with foreign countries, Zimbabwe can strengthen its ties with the international community, build trust, and enhance its diplomatic standing. This can open doors for political dialogue, regional integration, and participation in global decision-making processes.

3.1.2 Benefit of Zimbabwe in Domestic Development

International law plays a vital role in promoting domestic development and helps Zimbabwe to address challenges to democracy, human rights, good governance, economic development, and many others. It is a key element in improving the advancement of one state.

⁵⁸ United Nations Zimbabwe, "2022-2026 Zimbabwe UN Sustainable Development Cooperation Framework," 21 October 2021, United Nations in Zimbabwe, <https://zimbabwe.un.org/en/152534-2022-2026-zimbabwe-un-sustainable-development-cooperation-framework>. Last access July 2, 2023.

⁵⁹ The Swedish International Development Cooperation Agency, "Sida's work in Zimbabwe," 2023, The Swedish International Development Cooperation Agency, <https://www.sida.se/en/sidas-international-work/countries-and-regions/zimbabwe>. Last access August 12, 2023.

For instance, international human rights law provides a basis for protecting the rights of citizens and ensuring that the government is held accountable for its action, while international criminal law provides a mechanism for prosecuting those who commit atrocities or other serious crimes against humanity. In Zimbabwe's foreign policy, international law helps local government, public works, and national housing mission to promote and advance strong local government bring out and coordinate urban and rural development to improve Zimbabwe's socio-economic growth.⁶⁰

Beyond political development, international law also supports financial and economic development. The government of Zimbabwe establishes, coordinates, and controls the implementation of macroeconomic policies and national development plans, as well as effectively gathering, contributing, operating, and evaluating public resources.⁶¹ In addition, The goal of transport and infrastructural development is to facilitate, provide, and manage networks and services related to infrastructure as well as transportation.⁶² Also, as international law shapes Zimbabwe's foreign policy, it could help Zimbabweans gain more job opportunities as the people are facing poverty⁶³ because of the economic crisis, which caused many Zimbabwe citizens to become unemployed in order to reduce the poverty rates of the country.

Zimbabwe has been constrained by a system of laws and conventions that govern its dealings with other nations and international entities, from its membership in the United Nations to its involvement with regional organizations like the African Union. The Zimbabwe

⁶⁰ Government of Zimbabwe, "Local Government, Public Works And National Housing," Government of Zimbabwe, <http://www.zim.gov.zw/index.php/en/my-government/government-ministries/local-government-public-works-and-national-housing>. Last access May 12, 2023.

⁶¹ Government of Zimbabwe, "FINANCE AND ECONOMIC DEVELOPMENT," Government of Zimbabwe, <http://www.zim.gov.zw/index.php/en/my-government/government-ministries/finance-and-economic-development>. Last access March 3, 2023.

⁶² Government of Zimbabwe, "Transport and Infrastructural Development," Government of Zimbabwe, <http://www.zim.gov.zw/index.php/en/my-government/government-ministries/transport-and-infrastructural-development>. Last access April 2, 2023.

⁶³ The Borgen Project, "Tag Archive for: Poverty in Zimbabwe," The Borgen Project, <https://borgenproject.org/tag/poverty-in-zimbabwe/>. Last access April 5, 2023.

United Nations Sustainable Development Cooperation Framework (ZUNSDCF) engages with UNCT partnership with the government of Zimbabwe in order to transform the support to enhance economic growth, human rights, gender equality, and many more. International law supports Zimbabwe's international development in facilitating international trade, which allows Zimbabwe to access new markets and resources that can help drive economic growth and create new opportunities for Zimbabwe and help Zimbabwe to ensure the trade is processed fairly and transparently among its trading partners.

Additionally, **The Swedish International Development Cooperation Agency (SIDA)** works with Zimbabwe to improve human rights, democracy, gender equality, environment, climate change, sustainability of resources, and economic development in order to reduce corruption, strengthen and use natural resources more sustainable, as well as to improve the Zimbabwean, especially to young people and women. International development can foster diplomatic relations and regional cooperation. By collaborating with foreign countries, Zimbabwe can strengthen its ties with the international community, build trust, and enhance its diplomatic standing. This can open doors for political dialogue, regional integration, and participation in global decision-making processes.

CHAPTER 4: THE CHALLENGES OF IMPLEMENTATION OF ZIMBABWE’S FOREIGN POLICY

4.1 Challenges of the Implementation of Zimbabwe’s Foreign Policy

Zimbabwe has faced so many challenges regarding using international law to implement its foreign policy.⁶⁴ The difficulties in implementing Zimbabwe's foreign policy have worsened, making it harder for the government to strengthen its relationships with other countries and develop good relations with other nations. These are the challenges for Zimbabwe:

4.1.1 The Political Instability

The instability of politics is one of the challenges that the Zimbabwean government is confronting. The politics in Zimbabwe is a complicated matter, which caused many impacts because of the government's uncertainty with chaotic internal issues. Additionally, there is also political tension and controversy with an unclear vision for the development in Zimbabwe, which created a serious imbalance of stability. Furthermore, the unfair election in Zimbabwe had pushed the country under the lack of mutual interest for the nation. In addition, as the politics in Zimbabwe is uncertain, it established the high rate of violent crimes, such as assault, smash and grabs, home invasion, armed robberies, and other insecurity.⁶⁵ Thus, the political order in Zimbabwe is likely to be unorganized with a variety of turmoil that makes the nation hard to adopt or implement effective policy since there is no stability.

⁶⁴ Ministry of Foreign Affairs and International Trade, “Impact on Zimbabwe and the region of the unilateral sanctions imposed by the United States of America and the European union introduction,” Ministry of Foreign Affairs and International Trade, <http://www.zimfa.gov.zw/index.php/component/k2/item/49-impact-on-zimbabwe-and-the-region-of-the-unilateral-sanctions-imposed-by-the-united-states-of-america-and-the-european-union>. Last access August 4, 2023.

⁶⁵ International Trade Administration, “Zimbabwe - Political and Economic Environment,” 2022, International Trade Administration, <https://www.trade.gov/country-commercial-guides/zimbabwe-political-and-economic-environment>. Last access June 10, 2023.

4.1.2 The Economic Problem

Zimbabwe has suffered considerable financial challenges, and foreign funding has been cut off for a variety of reasons. In actual fact, their early-2000s land reform policy, which involved transferring white-owned farms to landless Zimbabweans, resulted in a severe fall in agricultural output, food shortages, and a strong reliance on international help. Furthermore, the activities of President Robert Mugabe's administration, such as political persecution, human rights violations, and electoral fraud, exacerbated Zimbabwe's economic problems and resulted in sanctions placed by other nations in reaction to these concerns.⁶⁶

President Emmerson Mnangagwa experiences that Western sanctions are a "cancer" that is progressively damaging Zimbabwe's economy, and he blames them for the country's economic difficulties. However, while the sanctions have had an impact, many argue that the government's mismanagement and lack of reforms are also key factors leading to the economic disaster.⁶⁷ This severe financial crisis has resulted in increasing prices and the near-collapse of the country's currency, making it difficult to attract international investment and conduct business with other countries, further isolating Zimbabwe and creating economic damage. Zimbabwe is in a difficult condition as a result of land issues, ineffective leadership, and instability in the economy, and it has been battling to recover economically since it was shut off from the rest of the world.⁶⁸ Zimbabwe **has failed to implement** many of the reforms that it promised under the Transitional Stabilization Program (TSP) and the National Development

⁶⁶ BBC News, "Zimbabwe Country Profile," BBC News, March 3, 2023, <https://www.bbc.com/news/world-africa-14113249>. Last access August 4, 2023.

⁶⁷ Associated Press Television News, "Zimbabwe's Main Opposition Leader Accuses President Emmerson Mnangagwa of Violating Election Laws," Republic World, <https://www.republicworld.com/world-news/africa/zimbabwes-main-opposition-leader-accuses-president-emmerson-mnangagwa-of-violating-election-laws-articleshow.html>. Last access August 5, 2023.

⁶⁸ Supra note 66.

Strategy 1 (NDS1), such as fiscal consolidation, monetary stability, public sector reform, and ease of doing business.⁶⁹

Price and exchange rate instability, misallocation of resources, informality, low investment, and limited structural transformation hinder Zimbabwe's economic development. Economic growth has been erratic in the past decade due to multiple exchange rates, high inflation, and unsustainable debt levels that increase production costs and deter productivity-enhancing investments, leading to informal practices. Zimbabwe's trade integration has declined, and foreign direct investment (FDI) is low, which curtails the transfer of new technologies and modernization of the economy.

Zimbabwe's growth potential is limited due to high levels of unsustainable debt and arrears to international financial institutions (IFIs). The government has taken steps to address the issue by implementing an Arrears Clearance, Debt Relief, and Restructuring Strategy, resuming token payments to IFIs and Paris Club creditors, and engaging in a structured Dialogue Platform with creditors and development partners to establish a program of economic, governance, and land reforms.

The 2022 real GDP growth rate dropped to 3.4% from 8.5% the previous year due to deteriorating agriculture conditions and macroeconomic instability.⁷⁰ Poor rainfall led to a 14% contraction in agricultural output, which had grown rapidly in 2021.⁷¹ Inflation in triple digits hindered private sector demand, while fiscal austerity held back government demand and investment growth. High global prices favored mineral exporters and tourism, which were key factors in the overall economic growth.

⁶⁹ BTI, "BTI 2022 Zimbabwe Country Report: BTI 2022," Bti-project.org, <https://bti-project.org/en/reports/country-report/ZWE>. Last access August 2, 2023.

⁷⁰ World Bank. "Overview," October 3, 2022. <https://www.worldbank.org/en/country/zimbabwe/overview>. Last access August 2, 2023.

⁷¹ Ibid.

Inflation has been on the rise with triple digits since August 2022. This has been caused by a surge in global prices and broad money expansion. The war in Ukraine is adding pressure to domestic inflation through high food and energy prices. Monetary tightening and fiscal policy measures have helped to bring inflation down to 230% in January 2023. Despite this, the interest rate was reduced from 200% to 150% in February 2023.⁷²

In 2022, the fiscal deficit stayed at 1.5% of GDP, but quasi-fiscal operations persisted. The added spending, mainly focused on public investment, grain procurement, and social protection, was fueled by inflation and linked with greater revenue. Revenues went up due to elevated inflation and exchange rate gains, resulting in the collection of some taxes in U.S. dollars.⁷³

4.1.3 Human Rights Issues

In 2021, Zimbabwe's administration faced harsh criticism for failing to defend human rights and discipline those guilty of grave crimes, particularly those committed by security forces, accountable. Despite instances such as the post-election violence in 2018 and the violent protests in January 2019, no significant accountability has been established. Furthermore, opposition leaders and activists have been abducted, tortured, and arbitrarily detained, but investigations into these crimes have been absent.⁷⁴ The major human rights concerns that have emerged in the aftermath of Zimbabwe's 2018 post-election violence are highly concerning. Among the most concerning issues is the lack of justice and responsibility for the actions of uniformed soldiers who used live ammunition against demonstrators, resulting in fatalities. Furthermore, ongoing breaches by security personnel, including torture, abductions, and

⁷² Ibid.

⁷³ Supra note 47.

⁷⁴ Roth, Kenneth, "Zimbabwe," Human Rights Watch, December 23, 2021. <https://www.hrw.org/world-report/2022/country-chapters/zimbabwe>. Last access August 5, 2023.

physical attacks on political opponents and civil society activists, highlight the urgent need for the government to take immediate action to preserve human rights and ensure the rule of law.⁷⁵

The worst of the matter, Zimbabwe is still dealing with a major water and sanitation crisis, forceful evictions of indigenous communities, and the incidence of child marriages. In response, the United States, the United Kingdom, and the European Union have reimposed targeted sanctions on Zimbabwe, alleging human rights concerns, corruption, and the government's failure to address past crimes.⁷⁶ Zimbabwe faces international isolation and sanctions from Western countries that accuse it of human rights violations, electoral fraud, and economic mismanagement.⁷⁷ This means that:

The U.S. **blocks the property** of certain individuals and entities that are involved in undermining democracy, human rights, and the rule of law in Zimbabwe. The U.S. also **restricts the travel** of certain Zimbabwean officials and their family members to the United States. The U.S. sanctions **do not target** the Zimbabwean people, the country of Zimbabwe, or Zimbabwe's banking sector. The U.S. sanctions are based on **legal authorities** such as executive orders and statutes that declare a national emergency with respect to Zimbabwe.⁷⁸

4.1.4 The Corruption

Corruption in Zimbabwe is the **misuse of entrusted power** for private gain against the rights of others. It affects various sectors, such as the police, customs, judiciary, and public

⁷⁵ Mavhinga Dewa, "Still No Justice for Zimbabwe's 2018 Post-Election Violence," Human Rights Watch, August 2, 2021, <https://www.hrw.org/news/2021/08/02/still-no-justice-zimbabwes-2018-post-election-violence>. Last access August 5, 2023.

⁷⁶ Supra note 60.

⁷⁷ Office of Foreign Assets Control, "Zimbabwe Sanctions," Office of Foreign Assets Control, <https://ofac.treasury.gov/sanctions-programs-and-country-information/zimbabwe-related-sanctions>. Last access August 5, 2023.

⁷⁸ Department of State, "Zimbabwe Sanctions - United States Department of State," Department of State, <https://www.state.gov/zimbabwe-sanctions/>. Last access July 16, 2023.

procurement, and undermines the delivery of public services and the rule of law.⁷⁹ Corruption in Zimbabwe is caused by factors such as:

- **Political interference** and lack of independence in the institutions that are supposed to prevent and combat corruption, such as the judiciary, the anti-corruption commission, and the auditor-general.
- **Weak enforcement** and lack of accountability for corruption offenses create a culture of impunity and discourage reporting by citizens and whistleblowers.
- **Lack of transparency** and oversight in the management of public funds and natural resources, especially diamonds, enables misappropriation, embezzlement, and illicit financial flows.⁸⁰
- **Low salaries** and poor working conditions for public officials create incentives for them to seek bribes or other forms of gratification.
- **Political patronage** and nepotism favor those with political connections or affiliations over merit and competence.

Corruption is a major issue in Zimbabwe, affecting businesses, economic progress, and people's trust in the government. The authorities have attempted to combat corruption by establishing anti-corruption institutions, adopting international treaties, and enacting legislation. However, they face challenges such as political meddling, a lack of resources, and the prosecution of powerful individuals involved in corruption.⁸¹ For example, consider the case of Obadiah Moyo, Zimbabwe's former minister of health and child care. He was involved

⁷⁹ GAN Integrity, "Zimbabwe country risk report," 2020, GAN Integrity, <https://ganintegrity.com/portal/country-profiles/zimbabwe/>. Last access July 23, 2023.

⁸⁰ Transparency International, "Zimbabwe - Transparency.org," Transparency International, <https://www.transparency.org/en/countries/zimbabwe>. Last access August 14, 2023.

⁸¹ Ndoma, Stephen, "Corruption in Zimbabwe," 2021, Org.Za, https://saija.org.za/wp-content/uploads/2021/07/04_Corruption_SNdoma.pdf. Last access July 23, 2023.

in a corruption investigation surrounding the purchase of COVID-19 medical supplies. According to allegations, Moyo issued a \$60 million contract without following correct procedures, resulting in inflated prices. This case demonstrates Zimbabwe's urgent need for more anti-corruption policies and greater accountability for high-ranking officials.⁸²

Zimbabwe's foreign policy implementation has been hampered by economic problems, human rights issues, and corruption. These challenges have limited the country's ability to engage effectively with the international community, dedicate resources to foreign policy initiatives, and develop strong and beneficial connections with other countries.

Zimbabwe is **plagued by corruption** at all levels of government, which erodes public trust, diverts resources, fuels patronage networks, and enables cartels to capture the state and the economy.⁸³ Zimbabwe **ranks poorly** on various indicators of governance, transparency, and competitiveness, such as the Corruption Perceptions Index, the World Governance Indicators, and the Ease of Doing Business Index.⁸⁴

⁸² Zimfieldguide.com, "Corruption in Zimbabwe - Transparency International Reveals the Latest Corruption Perceptions Index (CPI) for 2020," Zimfieldguide.com, <https://zimfieldguide.com/harare/corruption-zimbabwe-transparency-international-reveals-latest-corruption-perceptions-index>. Last access July 19, 2023.

⁸³ Gavin Michelle, "New Report Shines Spotlight on Corruption in Zimbabwe," Council on Foreign Relations, <https://www.cfr.org/blog/new-report-shines-spotlight-corruption-zimbabwe>. Last access July 19, 2023.

⁸⁴ Mahleka Themba, "ENFORCEMENT OF ANTI-CORRUPTION LAWS: ZIMBABWE," UNCAC Coalition, <https://uncaccoalition.org/files/cso-review-reports/year2-zimbabwe-report.pdf>. Last access August 14, 2023.

CHAPTER 5 ANALYSIS OF ZIMBABWE'S FOREIGN POLICY

5.1 Analysis of Zimbabwe's Current Foreign Policy

The current foreign policy of Zimbabwe is focusing on economic development and regional integration. Zimbabwe's foreign policy is characterized by a commitment to promoting social justice and equality on the global stage. Zimbabwe is focused on diversifying its diplomatic relationships and strengthening its economic ties with both traditional and emerging global powers to engage in international forums and its efforts to attract foreign direct investment. In addition to economic development, regional integration, and sovereignty, Zimbabwe aims to address issues of injustice in international relations. This includes advocating for fair trade practices, supporting initiatives that promote social welfare and human rights, and actively participating in global forums to voice concerns and propose solutions for a more equitable world order. Additionally, Zimbabwe's foreign policy reflects a commitment to addressing regional challenges such as political instability, corruption, poverty, regime changes, and so on in order to collaborate with neighboring countries to strengthen its ties with traditional allies such as China, Russia, and shown a willingness to engage with Western nations like the United States, rejoining the Commonwealth and regional organizations like the Africa Unions, as well as its effort to deepen cooperation with those states and organizations to strengthen its ties with neighboring countries.⁸⁵ However, there are also concerns about Zimbabwe's stance on human rights issues and its commitment to democratic principles.⁸⁶ The challenges and criticisms faced by Zimbabwe regarding human rights violations further complicate its foreign policy agenda, indicating the need for a more comprehensive approach

⁸⁵ International Trade Administration, "Zimbabwe - Trade Agreements," 2022, International Trade Administration, <https://www.trade.gov/country-commercial-guides/zimbabwe-trade-agreements>. Last Accessed on August 2, 2023.

⁸⁶ State Department, "Zimbabwe - United States Department of State," State Department, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/zimbabwe/>. Last access August 13, 2023.

that balances economic growth with respect for human rights. Concerns remain regarding the lack of transparency in trade agreements and the potential for economic dependence on certain foreign powers. Ultimately, Zimbabwe's foreign policy is a balancing act between pursuing economic growth and maintaining its sovereignty in an increasingly interconnected world. Zimbabwe recognizes the importance of engaging with international partners to attract foreign investment and stimulate economic development, such as the “**Open for Business**” policy of the new policy.⁸⁷ It is also prioritized to safeguard its national interests and engage in regional and international forums to strengthen diplomatic ties and promote cooperation on various global issues and expand its economic opportunities.

By analyzing Zimbabwe’s foreign policy, we can gain insights into its effort to contribute to how the country is working towards achieving and seeking to promote its national interests and protect its sovereignty while also working toward a more just and equal global community. Studying Zimbabwe’s foreign policy allows us to understand how the country navigates complex geopolitical dynamics and builds alliances with other nations to achieve its goals of addressing inequality and injustice in international relations.

5.2 Analysis of International Law Impact on Zimbabwe’s Current Foreign Policy

Despite the challenges the country is facing, the research paper showcased that Zimbabwe is moving toward development domestically and Internationally. The role of international law and assistance, including technical and financial from many international organizations, has no doubt brought various positive changes in the countries. Zimbabwe is a member of various international organizations, such as the United Nations and the African Union. Zimbabwe has been actively working towards aligning its foreign policy with

⁸⁷ African Development Bank, “Zimbabwe Open for Business, says President Mnangagwa,” 2022, African Development Bank, <https://www.afdb.org/en/news-and-events/press-releases/zimbabwe-open-business-says-president-mnangagwa-56033>. Last access July 15, 2023.

international norms and standards. Zimbabwe's foreign policy decisions are influenced by international legal frameworks, such as treaties and agreements, which shape its engagement with the international community. This showcases the participation of Zimbabwe's international organizations and treaties, as well as its commitment to resolving disputes through peaceful means and respecting human rights. The imposition of sanctions has had an impact on Zimbabwe's foreign policy, which has led the government to engage with the international community to address concerns and work toward the lifting of sanctions, involving diplomatic efforts, engagement with regional organizations such as the African Union and the Southern African Development Community. Furthermore, Zimbabwe's engagement with the international community reflects its recognition of the benefits of global cooperation in addressing common challenges such as economic development, such as the **World Trade Organization (WTO)**, which can shape Zimbabwe's economic policies and trade relations.⁸⁸ Compliance with international trade rules can provide Zimbabwe with access to global markets, promote foreign investment, and foster economic growth. The government is committed to upholding human rights and promoting peace and security, and aligning with international standards while safeguarding its own interests. Zimbabwe has shown a willingness to engage with international organizations and comply with certain agreements; the country's foreign policy decisions under Mnangagwa are also shaped by domestic considerations. International law also influences Zimbabwe's foreign policy by establishing norms and principles that guide state behavior. For example, principles of non-intervention, self-determination, and respect for human rights are widely recognized in international law. The United Nations Charter prohibits the use of force in international relations, emphasizing the importance of peaceful resolution of

⁸⁸ World Trade Organization, "WTO Zimbabwe - Member information," World Trade Organization, https://www.wto.org/english/thewto_e/countries_e/zimbabwe_e.htm. Last access August 1, 2023.

disputes which includes the need of Zimbabwe to address economic challenges and maintain political stability, which can sometimes lead to a divergence from international norms and obligations.⁸⁹ Nonetheless, Zimbabwe's engagement with international law remains an important factor in shaping its foreign policy approach and determining its standing as a responsible global actor.

⁸⁹ the United Nations, “United Nations Charter (full text) | United Nations,” the United Nations, <https://www.un.org/en/about-us/un-charter/full-text>. Last access August 13, 2023.

CONCLUSION

Zimbabwe has faced numerous challenges since its independence, including economic instability, political corruption, and human rights violations. The Lancaster House Agreement, which led to the conduct of free and fair elections in Rhodesia, ended the conflict in December 1979. The combination of economic discrimination, political disenfranchisement, and racism led to a widespread desire for independence among the black population of Rhodesia. The desire for independence from Britain led to a long and bloody war of liberation, which finally ended in 1980 with the establishment of the independent state of Zimbabwe. The appointment of Robert Mugabe as Prime Minister followed ZANU-PF's victory in the election, but Zimbabwe suffered greatly as many people lost their lives during the war. The legacy of mutual hostility and bitterness remained after the end of hostilities. Even after winning independence from the war, Zimbabwe still confronted challenges and struggles over time.

Under the leadership of Emmerson Mnangagwa, Zimbabwe has made significant changes by interacting with local and foreign investors to improve and decrease the country's economy, political instability, and human rights abuses. Zimbabwe is also engaging with development partners in areas such as education, civil society, climate change, regional economic integration, empowerment of women and girls, health, and social protection. The new foreign policy implemented under Mnangagwa towards the international organization to re-engage with foreign countries to gain more investment to increase the state's economy. It will also explore the new approaches of the new Zimbabwe government to the West, including the United States and the United Kingdom, as well as to the East, including China and Russia.

Despite showing signs of improvement, uncertainties about Zimbabwe's future still remain uncertain. Both the old and new Zimbabwe have shown different perspectives on how a state can be affected by superpower states with positive and negative impacts. With the

challenges and consequences that arise today, Zimbabwe has adopted some new policies in line with the current international rules and norms, yet still threatens economic instability, political instability, and humanitarian crisis to the states. The government of Zimbabwe is working to address these problems by introducing economic reforms to benefit and meet the stability of the state and making some progress in reducing corruption. Zimbabwe is also trying to foster progress and stability in Zimbabwe, and there needs to be a focus on addressing the root causes of the political and economic issues. This includes implementing policies that promote transparency, accountability, and respect for human rights. The country also invests in key sectors such as healthcare, education, and infrastructure are also crucial to improving the welfare of citizens. This can be achieved through partnerships with international organizations and private sector investment. Additionally, promoting entrepreneurship and small business development can help create job opportunities and boost the economy.

RECOMMENDATION

1. Political Reform

Politics is one the parts for a nation to gain prosperity and peace. However, in Zimbabwe, the political system is not under control and has many problems. So, the government of Zimbabwe should strengthen and strictly transform the politics to be more organized and stable. The government of Zimbabwe should set a clear objective and vision of the country to reach its goal, especially to advance the country's development with stability. Furthermore, the main important task is regarding the fair election, which gives the Zimbabweans freedom and volunteers to choose whoever they want that has the capacity to bring the nation political stability. Additionally, the government in Zimbabwe must transform and reform its politics carefully to avoid the political instability that has already happened by maintaining fair play and showing the world that the country does have political stability and peace while improving development.

2. Strongly Adhere International Law

International law has a big impact on Zimbabwe and plays a significant role in helping the country. In addition, as there are many issues related to human rights abuse, international, and so on, Zimbabwe faced massive sanctions from the international community, including the Western countries. Moreover, the government of Zimbabwe could not do anything to avoid such a thing. Clearly, due to the lack of adherence to international law, the government of Zimbabwe should reconsider again and should strongly showcase that they obey international law. Additionally, Zimbabwe's government should respect international law by stopping abuse or violation of human rights, providing the citizens with the best services, and trying to eliminate corruption. Thus, contributing and uniting with other nations to strictly adhere to

international law on global stages is also another thing that the Zimbabwean government should do, which shows the country's commitment to supporting and following international law.

3. Re-engagement Locally and Internationally

To have interaction and engagement locally and internationally a mechanism to push Zimbabwe to earn the opportunities to rise up from poverty that the country is facing. The Zimbabwe government should implement a foreign policy that allows their country to further engage with their people and especially moves forward to establish a friendly interaction with other states around the globe. Hence, the government of Zimbabwe should not isolate itself as it used to but should seek more to re-engage in international diplomatic and business forums in order to have a mutual interest for the country.

4. Promote National Interest

National interest is very crucial for every nation. Zimbabwe's government should work more on their promotion of national interest as it could attract other states to have further cooperation and become an alliance. Even though states do things based on their interest, the Zimbabwean government should strengthen its own national interest in the global community. Once Zimbabwe could succeed in advertising the national interest, there will be much diplomatic momentum, such as there might be more cooperation on the agreement to develop and transform Zimbabwe. Moreover, there might be dialogue partners or foreign alliances that could help Zimbabwe to develop infrastructure, security, and so on.

5. Productive Sector Reforms

Zimbabwe is one of the countries that relies on agriculture which is one of the main sectors to improve their economy. When the government in Zimbabwe decided to exercise the foreign policy of "**Open for Business,**" it was a positive sign to help the country develop its economy. So, the government of Zimbabwe should reform the productive sector to be better

and stick it open for business foreign policy by booting the agriculture sector and importing it to the international market. By doing so, the country could earn some economic growth and even make their people have more income. When the productive sector is strong enough to support the local and international community, it might attract more direct foreign investment and bilateral cooperation in the productive sector as well as other sectors.

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