U.S. POLICY TOWARD ZIMBABWE

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

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U.S. POLICY TOWARD ZIMBABWE

WEDNESDAY, NOVEMBER 2, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
AND HUMAN RIGHTS
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 3 o'clock p.m., in room 2200, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. We will be joined in a moment by Ranking Member Payne, but I thought I might just start.

I actually have to leave for about ½ hour. The Immigration Subcommittee of Judiciary is holding a hearing on one of my bills, H.R. 2121, the China Democracy Promotion Act, and I am the witness. So, I will be where you are in 25 minutes.

So, I think we ought to start, and when Don comes, we will just yield to him.

Good afternoon.

Our hearing today will examine the current U.S. Government policy toward the Republic of Zimbabwe and consider how our policy toward this southern African nation may develop in the years ahead. Zimbabwe is considering a new constitution that will lead to elections in 2012 that had been postponed from this year.

There has been mutual hostility between the United States Government and Zimbabwe Government of Robert Mugabe since the country became independent in 1980. Mugabe and his supporters blame America for not supporting its liberation struggle, while the United States has criticized Mugabe's government consistently for human rights abuses, especially against its political opponents.

With U.S. Ambassador to Zimbabwe Charles Ray encouraging U.S. businesses to invest in Zimbabwe last month, it would seem that U.S. policy is in the midst of a transformation.

Following independence from Great Britain in 1980, Prime Minister Robert Mugabe's policy of political reconciliation was generally successful during the next 2 years, as the former political and military competitors within the ruling Zimbabwe African National Union Patriotic Front and rival Patriotic Front Zimbabwe African People's Union began to work together.

Splits, however, soon developed, as PF–ZAPU leader Joshua Nkomo was removed from government. When PF–ZAPU was accused of initiating a rebellion due to the removal of Nkomo from the Cabinet, government military forces began a pacification cam-

paign, primarily in his base, which resulted in as many as 20,000 civilian deaths.

In part, through its control of the media, the huge parastatal sector of the economy and the security forces, the Mugabe government managed to keep organized political opposition to a minimum through most of the 1990s. Beginning in 1999, however, Zimbabwe experienced a period of considerable political and economic upheaval. Opposition to President Mugabe and the ZANU–PF government had grown, in part, due to the worsening economic governance issues.

At one point, one U.S. dollar was worth more than 2.6 billion Zimbabwe dollars. Following the seizure of White-owned commercial farms beginning in the 1990s, food output capacity fell some 45 percent, manufacturing output dropped 29 percent, and unemployment rose to 80 percent.

The opposition was led by the Movement for Democratic Change, or the MDC, which was established in September 1999. The MDC led the campaign to handily defeat a referendum that would have permitted President Mugabe to seek two additional terms in office.

Parliamentary elections held in June 2000 were marred by localized violence and claims of electoral irregularities and government intimidation of opposition supporters. Still, the MDC succeeded in capturing 57 of the 120 seats in the National Assembly.

The last four national elections—the Presidential election in 2002, parliamentary elections in 2005, harmonized Presidential and parliamentary elections in March 2008, and the Presidential runoff in June 2008—were judged to be not free and fair by observers. In the March 2008 elections, two factions of the opposition MDC, known as MDC–T to denote Morgan Tsvangirai's faction and MDC–M for the group led by Arthur Mutambara, gained a combined parliamentary majority. Mugabe was declared the winner of the June 2008 runoff election after opposing candidate Tsvangirai withdrew due to ZANU–PF-directed violence that made a free and fair election impossible.

Negotiations subsequently took place, and in September 2008 the three parties signed the Global Political Agreement, or GPA, a power-sharing agreement under which Mugabe would retain the presidency, Tsvangirai would become Prime Minister. In February 2008, Tsvangirai was sworn in as Prime Minister and new Cabinet ministers and deputy ministers from the two MDC factions and the ruling party were also sworn in.

There is serious contention within the ruling party for the right to succeed President Mugabe once he leaves office and added division within the opposition. Politics in Zimbabwe is in flux, to say the least.

It is in this environment that the United States faces the extraordinary challenge of examining our current policy and determining how best it might be adjusted. I look forward to hearing from our very distinguished panel of witnesses today on how U.S. policy toward Zimbabwe may change to help that nation reach the desired goals of democracy and good governance.

I would like to yield to my good friend and colleague, Mr. Payne, for any opening comments.

Mr. PAYNE. Thank you very much, Mr. Chairman, for agreeing to hold this very important hearing on the policy toward Zimbabwe. This subcommittee has held a number of hearings on Zimbabwe over the years, and we must continue to focus strategically on this very important country.

I also want to thank our distinguished witnesses for joining us today, Ambassador Carson and Senior Deputy Assistant Administrator Cromer, who both have been working on Africa issues for decades. Mr. Carson has been an Ambassador to Zimbabwe, actually, and has served with distinction, and Ms. Cromer's record is outstanding, as we have had her testify before this committee before. I certainly look forward to your testimonies.

I want to also thank International Crisis Group, IRI, and the Crisis in Zimbabwe Coalition, as well as Open Society Foundations and Freedom House, for all of their hard work on this issue.

In previous hearings, I have discussed Zimbabwe's rich and complex history. We know of the struggle for independence with Robert Mugabe and Josh Nkomo leading ZANU and ZAPU during the years of revolution, where Ian Smith and a quarter of a million Rhodesians held the entire nation of Zimbabwe, over 7 million Blacks, in a situation, as we all know, similar to South Africa, and the persons who struggled and fought for independence, even Mr. Mugabe and the late Josh Nkomo, should deserve a place in history.

But it is that history, especially its relatively-recent independence and effort to overcome hundreds of years of colonialism and the pillaging of its rich natural resources by the West, that makes the current political crisis so difficult to witness today. Also, the outstanding education system that was put in place by the new Government of Zimbabwe, where even today throughout the continent Zimbabwean citizens tend to the highest-motivated in the educational area.

After independence in 1980, Zimbabwe was prosperous and economic opportunities were abundant. But after years of poor economic policies, mismanagement, and corruption, political and economic upheaval began to take place in the early 2000s.

Once a hub for young African visionaries, Zimbabwe lost millions of young adults to the crisis. Many have left the country for educational and economic opportunities. It is estimated 25 percent of Zimbabwe's population lives now outside of the country. Those who remain behind are clamoring for change.

Yet, Zimbabwe still has a robust and engaged civil society. They are active in groups like WAHSA and Zimbabwe Lawyers for Human Rights. Many of them face violence, intimidation, detention, and torture. Yet, they continue to stand up for democracy, for reform, and for civil and human rights. They are committed to holding the government of national unity accountable. Some of them are also working to hold SADC accountable.

I am pleased to welcome Mr. Dewa Mavhinga of Crisis in Zimbabwe Coalition to represent the views of the Zimbabwean civil society to our panel today.

In this time of civilian-led uprisings across Africa and the Arab world, which has led to the demise of such formidable strong men as Mubarak and Ghadafi, it is difficult to digest that just 3 years

ago a compromise approach to regime change in Africa was deemed acceptable by some. Of course, the 2008 Global Political Agreement is far from perfect, but many believed that it was the most viable option for democratic change at the time.

However, we saw with the Comprehensive Peace Agreement in Sudan, and we still see it, the signing of a political or a peace agreement does not automatically bring dramatic change and security, as we can see in Abyei and Southern Kordofan and other areas of Sudan. Rather, it is a starting point from which to build. The proof of the pudding is in the eating, as they say.

Unfortunately, President Mugabe's ZANU–PF and the aligned security sector leaders have used brutal force to obstruct the reform process and attempted to divert attention away from the GPA by calling for hasty elections in March of next year. Domestic, regional, and international stakeholders have all stressed that elections should not occur until the Southern African Development Community, SADC, can facilitate the necessary framework for free and fair elections. Rushing the process and failing to implement necessary reforms prior to the elections could result in increased violence and destabilization that would threaten the entire area.

Nevertheless, Mugabe continues to campaign, claiming only God can remove him from the presidency. And his supporters in the security sector continue to use harassment and intimidation tactics to suppress the opposition.

I was disturbed to learn that just yesterday police officers aligned with the ZANU–PF sealed off the MDC campaign headquarters and used tear gas on MDC supporters and bystanders.

The guarantors of the political agreement, the Africa Union and the Southern African Development Community, SADC, have begun to tire of Mugabe's obstructionist tactics. Earlier this year, South Africa's President Jacob Zuma and SADC made it clear to Mugabe that ZANU–PF must adhere to the provisions of the GPA, end violence against MDC supporters, contemplate significant changes to the country's governmental operation procedures, or else forfeit regional legitimacy.

It is against this backdrop of intimidation and violence that we now consider U.S. policy toward Zimbabwe. Many observers believe that the new determination by South Africa and SADC to resolve the crisis presents the United States with a political opening to reinvigorate our engagement with SADC in order to help ensure orderly democratic transition in Zimbabwe.

I agree that the United States and international community must do whatever we can to support SADC's mediation efforts while also engaging reform-minded elements within Zimbabwe's unity government. And, of course, we should also continue to engage and support Zimbabwe's civil society leaders in their effort to press for reform.

Beginning in 2003, under President Bush and continuing under President Obama, the United States has implemented targeted sanctions against leaders of the ZANU–PF party for their violations of the rights of the Zimbabwean people. In addition to sanctions, the U.S. has placed restrictions on the aid that can be granted to Zimbabwe. Due to defaults in its debt service to the U.S., the unity government is ineligible to receive direct assistance.

While I certainly agree that we should mount significant pressure on any government officials who suppress the democratic will of the people, I want to ensure that our efforts to punish unjust leaders do not inadvertently harm innocent civilians. I am pleased that the State Department continues to review and revise the sanctions list to ensure that entities that do not belong on the list are removed.

What's more, in the case of Zimbabwe, we must be doing everything in our power to support reform-minded leaders in the unity government, such as MDC's Minister of Finance, Tendai Biti, who has implemented innovative and impactful reforms under extreme, difficult circumstances.

That is why in the previous Congress I introduced H.R. 5971, the Zimbabwe Renewal Act of 2010. This act would authorize debt forgiveness with Zimbabwe by U.S. Government agencies. I have not yet reintroduced a bill for this Congress because I want to take the testimony we hear today into careful consideration before revising the legislation.

I am particularly interested to hear from our witnesses on the assessment of the progress that Prime Minister Morgan Tsvangirai and the MDC formations have made in implementing critical reforms as well as recommendations on how the U.S. can best support those reforms and meaningful democratic transition in Zimbabwe.

Thank you again, Chairman Smith, for agreeing to hold this important hearing. I look forward to the witnesses' testimony.

Mr. SMITH. Thank you very much, Mr. Payne.

Without objection, the full bios of our distinguished witnesses will be made a part of the record.

But, in short form, Ambassador Johnnie Carson currently serves as Assistant Secretary of State in the Bureau of African Affairs, a position he has held since May 2009.

Ambassador Carson has a long and distinguished career in public service, including 37 years in the Foreign Service, including serving as our Ambassador to Kenya, Uganda, and as Mr. Payne reminded us, to Zimbabwe itself. Ambassador Carson has also served as the staff director of the House Africa Subcommittee and as Peace Corps volunteer in Tanzania. Ambassador Carson is also the recipient of numerous awards for his service from the U.S. Department of State.

We will then hear from Ms. Sharon Cromer, who is currently Senior Deputy Assistant Administrator in the Africa Bureau of USAID, a position she has held since May 2010. Ms. Cromer is a Senior USAID Foreign Service Officer with more than 20 years of experience in the international humanitarian and development assistance area.

Upon her return to Washington in 2009, Ms. Cromer served as Assistant Administrator for the Bureau of Democracy, Conflict, and Humanitarian Assistance on a temporary basis before assuming the position as Deputy Administrator in the Bureau of Management.

Ambassador Carson, if you could begin?

STATEMENT OF THE HONORABLE JOHNNIE CARSON, ASSISTANT SECRETARY OF STATE, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Ambassador CARSON. Thank you very much. Chairman Smith and Ranking Member Payne, thank you for the opportunity to testify before you concerning the situation in Zimbabwe and about U.S./Zimbabwean relations.

Zimbabwe is a country of enormous economic, agricultural, and mineral potential. Unfortunately, a history of fiscal mismanagement for governance and a culture of political violence have limited that potential for nearly 15 years. While some visible improvements have been made, serious challenges remain.

After a deeply flawed and violent election in 2008, Zimbabwe's former opposition parties are now part of a transitional coalitional government that has lasted nearly 3 years. This coalition government was established under the stewardship of the Southern African Development Community as a key element in the Global Political Agreement which was negotiated between the two opposing parties to end political violence and move past the contested elections.

Although significant challenges remain on the political front, there has been some progress. A tripartisan parliamentary committee has sought input for a new draft constitution from millions of Zimbabweans.

Zimbabwe's economy, which was dollarized in 2009, has made a remarkable recovery. The International Monetary Fund estimated that Zimbabwe's gross domestic product grew at approximately 9 percent in 2010.

Humanitarian need has decreased significantly since 2009, when 7 million people received humanitarian aid. In January 2012, the number of people needing humanitarian assistance is projected to be just 1 million. Schools and health clinics previously closed due to a lack of staff and supplies have been reopened and are providing vital social services to the Zimbabwean people.

At the same time, substantial progress has been impeded by censorship, weak rule of law, and the continued political manipulation of state institutions. Politically motivated harassment, intimidation, and violence continue, and state institutions are beholden to partisan agendas.

The United States has always supported the aspirations of the people of Zimbabwe to create a country that would truly empower its citizens. In the 1960s and 1970s, we supported United Nations' efforts to pressure Rhodesian authorities to accept majority rule. The United States was the first country to extend diplomatic relations to the newly-independent Zimbabwe in April 1980. We have also voiced our concern when the liberation era leadership has taken actions that have threatened Zimbabwe's stability, prosperity, and development as a modern, democratic state.

The United States sanctions program is the most visible manifestation of our concern. Today our sanctions target 121 individuals and 69 entities, pursuant to Executive orders issued to focus on those individuals and those institutions undermining democracy in Zimbabwe. These sanctions began in March 2003.

Much has changed in Zimbabwe since then, and our sanctions regime has reflected those changes. Over the past year, the Department of Treasury's Office of Foreign Assets Control has modified the sanctions list, adding or deleting names on the list to reflect some of the political changes occurring in Zimbabwe itself. The administration will continue to ensure the targeted sanctions program remains meaningful and accurate and relevant.

At the same time, the United States is working to help to develop a strong, democratic, market-oriented Zimbabwe and to respond to the country's humanitarian needs. We have provided nearly $1 billion in assistance to Zimbabwe from Fiscal Year 2006 through Fiscal Year 2011.

I will defer to my USAID colleague, Senior Deputy Assistant Administrator Sharon Cromer, to talk more in-depth about USAID programs.

The next 2 years will be a test for Zimbabwe, and the world will be watching very carefully to see if its political leaders stick to the commitments that they made to hold free and fair elections according to a roadmap negotiated with the assistance of the Southern African Development Community.

Zimbabwe's future will not depend on the actions of any one individual or even one political party. It will depend on the collective decisions Zimbabwe's people make to replace a legacy of political violence and one-party rule with a culture of tolerance, reconciliation, and the depoliticalization of state institutions.

We are contributing to empowering Zimbabweans to build the markets and the institutions necessary to determine their own future. The United States values partnerships with nations whose leaders demonstrate a commitment to the rule of law and the free flow of information. These features form the foundation of stable, growth-oriented democracies all over the world and will be a key factor governing our relationship with the Government of Zimbabwe in the years to come.

If Zimbabwe's political parties implement the commitments that they, themselves, have made in the Global Political Agreement and the electoral roadmap, there will be clear imperative for the United States to reconsider our current sanctions policy.

Specifically, this would mean the holding of free, fair, and internationally monitored elections. It will also require state institutions to be delinked from ZANU–PF. The Department of State will continue to press for the protection of human rights and accountability for those who abuse them, while acknowledging progress where and when it is made.

It would be a mistake if I did not mention Zimbabwe's importance to the Southern African region. Zimbabwe shares borders with South Africa, Botswana, Zambia, and Mozambique. It is a critical transportation hub, a rich resource of talent, and a country with great economic potential and promise.

Unfortunately, as we saw in 2008, the unstable political situation in Zimbabwe affects all the countries around it. Partisan influence over elements of the security sector and the use of these forces for violent actions and intimidation against political opponents has led to a darkening of the security sector's reputation, both at home and abroad. Zimbabwe's neighbors are still feeling the effects of the ref-

ugee flows and the economic collapse that occurred in Zimbabwe earlier.

It is important to note the areas of concern and also those of stalemate, as we often do, but also to recognize progress and change when it occurs in Zimbabwe. Zimbabwe is a young nation with a long colonial legacy to overcome. Social, political, and economic advances do not happen quickly, nor will they necessarily follow an American or Western model.

Implementation of the Global Political Agreement has been problematic from the very beginning, but the Southern African Development Community takes its mediating role seriously. And I am confident that they will not allow elections to go forward if it appears that the prevailing conditions will lead to a repeat of the 2008 crisis.

Mr. Chairman and Ranking Member Payne, I want to thank you for this opportunity to appear before you today. I will be happy to answer any questions that you may have. Thank you very much.

[The prepared statement of Mr. Carson follows:]

Testimony of Ambassador Johnnie Carson
Assistant Secretary of State for African Affairs
House Foreign Affairs Committee
Subcommittee on Africa, Global Health, and Human Rights
November 2, 2011

Chairman Smith, Ranking Member Payne, honorable Members of the Committee: Thank you for the opportunity to testify before you concerning the situation in Zimbabwe and U.S.-Zimbabwe relations.

Zimbabwe is a country of enormous economic, agricultural, and regional potential. Unfortunately, a history of fiscal mismanagement, poor governance, and a culture of political violence have limited that potential for nearly 15 years. While some visible improvements have been made, serious challenges remain.

After a deeply flawed and violent election in 2008, Zimbabwe's former opposition parties are now part of a transitional coalition government that has lasted nearly three years. This coalition government was established under the stewardship of the Southern African Development Community as a key tenet of the Global Political Agreement, which was negotiated between the opposing parties to end political violence and move past contested elections. Although significant challenges remain on the political front, there has been progress. A tri-partisan parliamentary committee has sought input for a new draft constitution from millions of Zimbabweans. Zimbabwe's economy, which dollarized in 2009, has made a remarkable recovery. The International Monetary Fund estimated that

Zimbabwe's Gross Domestic Product grew at nine percent in 2010. Humanitarian need has decreased significantly since 2009, when 7 million people received humanitarian aid. In January 2012, the number of people needing humanitarian assistance is projected to be just one million. Schools and health clinics previously closed due to a lack of staff and supplies have re-opened and are providing vital social services to the Zimbabwean people.

At the same time, substantial progress has been impeded by censorship, weak rule of law, and the continued politicization of state institutions. Politically motivated harassment, intimidation and violence continue, and state institutions are beholden to partisan agendas.

The United States has always supported the people of Zimbabwe's aspirations to create a country that would truly empower its citizens. In the 1960s and 1970s, we supported UN efforts to pressure Rhodesian authorities to accept majority rule. The United States was the first country to extend diplomatic relations to the newly independent Zimbabwe in 1980.

We have also voiced our concern when the liberation-era leadership has taken actions that posed a threat to Zimbabwe's stability, prosperity, and development as a modern democratic state. The U.S. sanctions program is the most visible manifestation of that concern, as it targets 121 individuals and 69 entities pursuant to Executive orders issued to address the undermining of

democratic processes or institutions in Zimbabwe. These sanctions began in March of 2003. Much has changed in Zimbabwe since then. Over the past year, the Department of the Treasury's Office of Foreign Assets Control has modified the sanctions list, adding or deleting names on the list to reflect some of those changes. The Administration will continue to ensure the targeted sanctions program remains meaningful and accurate.

At the same time, the United States is working to help develop a strong, democratic, market-oriented Zimbabwe and respond to humanitarian needs. We have provided nearly a billion dollars in assistance from Fiscal Year 2006 through Fiscal Year 2011. I will defer to my USAID colleague, Senior Deputy Assistant Administrator for Africa Sharon Cromer, to provide more information about USAID programs in Zimbabwe.

We are mindful of the current fiscal climate and the existing legal restrictions on our assistance and we will continue to consult closely with Congress, especially with this Committee, on any proposals to change our assistance program to Zimbabwe.

The next two years will be a test for Zimbabwe, and the world will be watching to see if its political leaders stick to the commitments they made and hold free and fair elections according to a roadmap negotiated with the assistance of the Southern African Development Community.

Zimbabwe's future will not depend on the actions of any one individual or even one political party. It will depend on the collective decisions Zimbabwe's people make to replace a legacy of political violence and one-party rule with a culture of tolerance, reconciliation, and the de-politicization of state institutions. We are contributing to empowering Zimbabweans to build the markets and institutions necessary to determine their own future.

The United States values partnerships with nations whose leaders demonstrate a commitment to the rule of law and the free flow of information. These features form the foundation of stable, growth-oriented democracies all over the world, and will be a key factor governing our relationship with the Government of Zimbabwe in the years to come.

If Zimbabwe's political parties implement the commitments that they themselves have made in the Global Political Agreement and the electoral roadmap, there will be a clear imperative for the United States to reconsider our current sanctions policy. Specifically, this would mean the holding of free, fair, and internationally monitored elections. It will also require state institutions to be de-linked from ZANU-PF.

The Department of State will continue to press for the protection of human rights and accountability for those who abuse them while acknowledging progress

where it is made. Zimbabweans have already enshrined these rights in their own laws, constitution, and international obligations, and we will continue to stand by Zimbabweans who are working to protect these rights.

We are also doing what we can, within the confines of the targeted sanctions program, to promote Zimbabwe's economic recovery and to highlight opportunities for investment that will benefit U.S. and Zimbabwean businesses alike. We will continue to provide guidance to U.S. businesses interested in taking advantage of opportunities in Zimbabwe about how they can move forward in a way that complies with U.S. law.

I would be remiss if I did not mention Zimbabwe's importance to the Southern African region. Zimbabwe shares borders with South Africa, Botswana, Zambia, and Mozambique. It is a critical transport hub, a rich resource of talent, and a country with great economic potential. Unfortunately, as we saw in 2008, the unstable political situation in Zimbabwe affects all the countries around it. Partisan influence over elements of the security sector and the use of these forces for violent actions against political opponents has led to a darkening of the security sector's reputation, both at home and abroad. Zimbabwe's neighbors are still feeling the effects of the refugee flows and economic collapse.

It is important to note the areas of concern and stalemate, as we often do, but also to recognize progress and change in Zimbabwe. Zimbabwe is a young nation

with a long colonial legacy to overcome. Social, political, and economic advances do not happen quickly, nor will they necessarily follow an American or western model. Implementation of the Global Political Agreement has been problematic from the beginning, but the Southern African Development Community takes its mediating role seriously, and I am confident that they will not allow elections to go forward if it appears that the prevailing conditions will lead to a repeat of the 2008 crisis.

Mr. Chairman and Members of the Committee, I want to thank you for the opportunity to appear before you today. I will be happy to answer any questions you have.

Mr. SMITH. Mr. Ambassador, thank you so much for your testimony.

Ms. Cromer?

STATEMENT OF MS. SHARON CROMER, SENIOR DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR AFRICA, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Ms. CROMER. Thank you. Thank you, Chairman Smith, Ranking Member Payne, and members of the subcommittee. I would like to thank you for inviting me to speak today.

I appreciate your continued interest in how U.S. policies and assistance programs can bring about positive change in Zimbabwe.

I would also like to thank Assistant Secretary Carson for his continued commitment to this issue and his unyielding support of USAID.

Today I would like to share three points. First, I will provide an update on USAID programs. Second, I would like to discuss how U.S. Government resources are carefully targeted to ensure they comply with policy and legal restrictions. And lastly, I would like to share how, in line with USAID reforms, we are strengthening capacity of local organizations.

First, our program. In Zimbabwe, supporting the return of a stable, representative democracy is our number one priority. During the past decade, a country that was previously the bread basket of southern Africa has deteriorated into chronic food and security and abysmal health and nutrition conditions. It is clear that the backsliding we have seen in Zimbabwe is directly related to poor governance.

For these reasons, Zimbabwe is a tragic, but notable example of the linkages between governance, food security, poverty, and health. Our program addresses these elements and makes these linkages.

One of the most critical reform efforts that USAID supports is the parliamentary-led, constitution-making process. USAID has supported the Parliamentary Select Committee and civil society in their efforts to solicit public input and debate issues of national interest. This provides an important avenue for peaceful political participation, particularly among youth.

As a result of USAID support, the parliamentary committees now regularly hold public hearings on key pieces of legislation, including those addressing human rights and electoral processes. In addition, parliamentary standing rules now allow the Prime Minister a question-and-answer period for the first time.

Our work to support democracy in governance is a critical, standalone objective of our program, as well as the foundation for our work in other sectors. Under Administrator Shah, USAID as a whole is reemphasizing the importance of integrating democracy, human rights, and governance into the three Presidential initiatives being implemented worldwide.

Through the President's Emergency Plan for AIDS Relief, USAID assistance supports 80,000 HIV-positive individuals with lifesaving antiretroviral therapy, representing about one-quarter of all clients in the country, and counseling and testing for 350,000 individuals per year.

We also provide education, social, and medical support for 60,000 orphans and vulnerable children. Our maternal and health assistance programs not only strengthen routine immunization services, but will also introduce vaccines that prevent two major causes of child deaths, pneumonia and diarrhea.

USAID works with small-holder farmers and small-scale traders and producers to increase agricultural production and marketing, enhance value-chain competitiveness, improve food security and nutrition, and increase rural incomes. USAID is also engaging the Government of Zimbabwe in important food security policy and strategy discussions.

Zimbabwe has seen a decline in the need for humanitarian assistance, as the Assistant Secretary has said, over the past 3 years, from 7 million people requiring emergency food assistance in 2009 to an estimated 1 million in 2012.

USAID also supports activities that improve access to clean water, provide hygiene education, and mitigate the risk of waterborne diseases, such as cholera.

It is important to acknowledge that while humanitarian needs have decreased rapidly, USAID may still need to provide humanitarian assistance to the most vulnerable until the Government of Zimbabwe can do so.

The second point is that USAID, in consultation with other donors and our Embassy in Harare, remains diligent in ensuring that none of our assistance is diverted or misused. U.S. Government sanctions against designated individuals and institutions are carefully observed in the award of contracts and grants and the designation of beneficiaries of assistance. All USAID funding in Zimbabwe is obligated through unilateral agreements with individual contractors and grantees. None of the funding is channeled through the Government of Zimbabwe, either directly or indirectly as a subawardee. The agency's new requirement to conduct a security risk assessment prior to obligation also serves as a mission-level control to keep U.S. foreign assistance funding out of the hands of the government as a whole and sanctioned individuals in particular.

While some activities, such as technical assistance to strengthen ministries, are for the benefit of the Government of Zimbabwe, such funding will continue to be channeled through NGOs and possibly contractors, provided that they are given required waivers, until the Government of Zimbabwe demonstrates adequate progress on key benchmarks and legal restrictions are lifted.

All of our activities are done in close consultation with Congress, the State Department and Treasury Department, and the national security staff, and are consistent with the U.S. Government's overall strategy and policy for this period.

The third and final point is that, in harmony with the letter and the spirit of restrictions on our assistance, we seek partnerships to strengthen local organizations that are providing key services and support to the local population. We are committed to building democratic African institutions, so that Africans can decide their own future.

In this vein, we identify and work with organizations that can contribute technically to USAID program implementation and

strengthen the sustainability of our efforts. But we also provide, in addition to this technical program assistance, we provide to these organizations training in business skills, strategy formulation, project implementation, and advocacy.

Currently, Zimbabwe poses an extremely difficult operating environment for civil society organizations that are trying to improve health, livelihoods, freedom, and human rights for their fellow Zimbabweans. They face harassments and threats from the very government that should be their ally.

U.S. support will continue to be flexible and responsive, emphasizing Zimbabwean efforts to establish participatory processes and capacity development of reform-minded and reform-oriented institutions, both at the national and local levels. This approach sets the foundation for Zimbabwe, when it eventually achieves a truly representative system, to be able to reclaim its previous successes.

Change must come from within the country, and it will not happen overnight. At the same time, U.S. support has been able to make targeted gains toward improving health, economic sustainability, and democratic systems in Zimbabwe, while ensuring those subject to sanctions do not benefit from our assistance.

Thank you for the opportunity to speak with you today. I welcome your questions and look forward to continuing our discussion. Thank you.

[The prepared statement of Ms. Cromer follows:]

Testimony of Sharon Cromer, Senior Deputy Assistant Administrator, Africa Bureau

The United States Agency for International Development

House Foreign Affairs Committee

Subcommittee on Africa, Global Health, and Human Rights

November 2, 2010

USAID Assistance to Zimbabwe

Chairman Smith, Ranking Member Payne, and Members of the Subcommittee, I would like to thank you for inviting me here to speak with you today. I appreciate your continued interest in how U.S. policies and assistance programs can bring about positive change in Zimbabwe. I would also like to thank Assistant Secretary Carson for his continued commitment to this issue. Zimbabwe is a country that exemplifies how policy and development are both mutually reinforcing as well as mutually dependent. Improvements in the living conditions and economic prospects of Zimbabweans cannot be sustainably achieved without accompanying gains in the political sphere. Similarly, governments in countries overrun by disease and poverty struggle to establish stable and secure systems and provide meaningful services to their constituents.

Zimbabwe is a country of enormous potential and tremendous human capital. Many of its neighbors in southern Africa have achieved remarkable growth in terms of strengthening trade and agricultural systems. They have faced significant health threats and worked to build better health and social support systems in response. Most recently, in Zambia, we saw an excellent example of free, fair elections and a peaceful transition of power—an effort that was led and determined by the Zambian people, with support to the process from donors like USAID.

In Zimbabwe, supporting the return of a stable, representative democracy is our number one priority. During the past decade, a country that was previously the breadbasket of southern Africa, and one of the most successful examples of progress in human development in the region, deteriorated into chronic food insecurity and abysmal health and nutrition conditions. It's clear that the backsliding we've seen in Zimbabwe is directly related to poor governance. For these reasons, Zimbabwe is a tragic but notable example of the linkages between governance, food security, poverty, and health.

Zimbabwe has seen a decline in humanitarian needs across the past three years—from seven million people requiring emergency food assistance in 2009 to an anticipated need of one million people in 2012. Following the formation of the Government of National Unity and the stabilization of the economy, emergency needs were reduced as a result of better availability of agricultural inputs, stabilization of prices, and improved purchasing power. It is important to

acknowledge that while humanitarian needs have decreased rapidly, USAID may still be requested to provide humanitarian assistance for several years as the country transitions away from economic collapse. In fiscal year 2011, USAID humanitarian assistance included emergency food assistance and support for agriculture and food security, rural and urban livelihoods, protection of vulnerable populations, and water, sanitation, and hygiene activities.

USAID, in consultation with other donors and the U.S. Embassy in Harare remains diligent in ensuring that none of our assistance is diverted or misused. U.S. Government sanctions against designated individuals and entities are carefully observed in the award of contracts and grants and in the designation of beneficiaries of assistance. All of our activities are done in close consultation with Congress, State and Treasury Departments, and the National Security Council and are consistent with the U.S. Government's overall strategy and policy.

USAID is supporting the efforts that exist within the government to improve basic conditions for Zimbabwe's citizens. We do so not only to meet immediate needs, but also to demonstrate that improved governance can lead to improvements in people's daily lives. Our Mission in Harare works closely with other U.S. government agencies, UN Agencies, international donors, private voluntary organizations, and local civil society organizations to ensure that our work in food security and health reach their intended beneficiaries without political manipulation or favoritism. We work assiduously to ensure that we follow the letter and spirit of legislative restrictions on our assistance. At the same time, and in harmony with those restrictions, we seek partnerships to strengthen local organizations that are providing key services and support to the local population. Our work with increasing the capacity of local civil society organizations is especially important to this goal; these organizations contribute to USAID program implementation and strengthen the sustainability of our efforts. In addition to funding for programs, USAID provides these organizations with training in business skills, strategy formulation and implementation, and advocacy.

This approach sets the foundation for Zimbabwe, when it eventually achieves a truly representative system, to be able to reclaim its previous successes. In agriculture and health, as well as other sectors such as education and natural resource management, close collaboration between an active and empowered civil society and a just and democratic government will bring real benefits for the people of Zimbabwe.

We recently conducted and are in the process of finalizing a democracy and governance assessment that highlights impediments and opportunities for us to promote democratic institutions in Zimbabwe. We also recently began the process of developing a new USAID country strategy for Zimbabwe. In this process, USAID will work in collaboration with other agencies and stakeholders in the U.S. government to formulate a multi-year, results-oriented country development cooperation strategy. To the extent possible within the U.S. policy framework and legal restrictions, the strategy will also be aligned with the host country's development priorities. The strategy will focus our investment in key areas that contribute to Zimbabwe's overall stability and prosperity.

As some in the government endeavor to create conditions for peaceful and democratic processes, they merit our continued assistance. One of the most critical legal reform efforts that USAID

supports is the Parliamentary-led constitution making process. USAID has supported the Parliamentary Select Committee and Zimbabwean civil society's role in soliciting public input and creating debate on issues of national interest, particularly in relation to the formulation of the new constitution. This provides an important avenue for effective U.S. engagement with the government reformers as well as an opportunity to encourage peaceful political participation among youth.

U.S. support will continue to be flexible and responsive, emphasizing Zimbabwean efforts to establish participatory processes and capacity development of reform-orientated institutions, both at the national and local levels. Similarly, continued support for the enactment of reforms to enable the operations of independent Zimbabwean media institutions that can provide the general public with objective information and the opportunity to participate in national debates continues to be essential. Progress on the granting of broadcast licenses to non-government entities has been slow. Recently, two independent newspapers gained licenses in Zimbabwe; while distribution coverage and the cost of such newspapers restrict their reach, they are credible and independent alternative sources of information for the citizenry.

Our work to support democracy and governance in Zimbabwe is a critical stand-alone objective of our program as well as the foundation for our work in other sectors. Under Administrator Shah, USAID as a whole is reemphasizing the importance of integrating democracy, human rights, and governance, particularly in the context of the three presidential initiatives being implemented worldwide: Feed the Future, Global Health, and Global Climate Change. The relationship between democracy and governance and these three initiatives is one of convergence and potential partnerships. After all, for democratic systems to thrive, citizens must feel that their political system provides tangible benefits to themselves and their families between elections. At the same time, a democratic political system is critical to sustaining and deepening sectoral program accomplishments. Much of the work we do in improving food security, strengthening health systems, and addressing climate change involves key actors and principles of democracy, rights and governance. These include ensuring transparency and accountability in government ministries, strengthening the decision-making ability of institutions such as local governments and parliamentary oversight committees, building the capacity of civil society groups to represent and advocate for reforms, and ensuring that the poorest and most vulnerable have access to resources and opportunities.

USAID's concerted efforts have assisted reform-minded elements of the government in carrying out institutional reforms critical for moving the country towards democracy. For example, the Parliamentary committees are now regularly holding public hearings on key pieces of legislation including those addressing human rights and electoral processes and efforts to revise the Parliamentary standing rules now allow the Prime Minister a question and answer time for the first time.

In the health sector, while HIV rates remains a serious concern in Zimbabwe, adult prevalence rates have decreased considerably—from 25 percent in 1999 to 14 percent in 2009. The United States provides substantial support to the HIV response through the President's Emergency Plan for AIDs Relief (PEPFAR). U.S. assistance supports 80,000 HIV-positive individuals with life-saving antiretroviral therapy—representing about one-quarter of all clients in the country.

Through PEPFAR, USAID's implementing partners support HIV testing and counseling for over 350,000 clients per year (more than half of all those tested in Zimbabwe) and in two key areas of HIV prevention—condom distribution and male circumcision—USAID through PEPFAR is supporting nearly all of the services in country. USAID makes sure its efforts are linked and mutually supportive such as integrating reproductive health with HIV prevention – reaching more than 250,000 women with testing and medication to reduce the risk of mother to child transmissions. Our health assistance program provides education, social, and medical support for 60,000 orphans and vulnerable children. Beyond addressing the HIV epidemic, USAID focuses on strengthening maternal, newborn and child health services, increasing access to voluntary family planning services, and controlling tuberculosis through better case detection, service delivery, and management capacity. In addition, USAID continues to support activities that improve access to clean water and mitigate the risk of waterborne diseases, such as cholera, as well as promote hygiene education. These programs benefit over one million people in Zimbabwe.

Zimbabwe was once the hub of agricultural technical capacity. With the virtual collapse of the once thriving commercial farming sector, smallholder farmers and small-scale traders and processors require unique assistance to enable them to gain enhanced livelihoods and produce surplus, quality crops for domestic and regional consumption. There is a real opportunity to revive and enhance the country's agricultural potential through seed breeding, production technologies, and improved trade systems, all targeted to the smallholder farmer and rural households. U.S. agriculture programs in Zimbabwe are aligned with the priorities and principles of the Feed the Future Initiative. USAID uses both Economic Support Funds and Food for Peace Title II resources to increase agricultural production processing and marketing; enhance the competitiveness of key value chains to spur rural development; achieve greater food security and nutrition outcomes; and increase rural incomes.

This year, for example, 120,000 rural households were transferred from government-run programs (that were susceptible to partisan influence) offering subsidized food and agricultural inputs to independent programs that helped them to become sustainably food secure and economically independent. In addition, we have already engaged 35,000 households in drought-prone areas to develop more than 800 of their own projects to benefit their local communities' food security. USAID also is engaging the Government of Zimbabwe on several important food security policy and strategy discussions.

However there is an urgent need for Zimbabwe to address a number of measures to improve the business-enabling environment and attract private sector investment in the agriculture sector and beyond. Investor confidence, from the micro-entrepreneur to the large corporation, depends on the nation's commitment to rule of law and good governance. As conditions permit, USAID can focus on economic recovery, encourage more domestic and foreign direct investment and trade, and increase the skills of small businesses, and build capacity among business associations to support the growth of micro, small and medium sized enterprises. The Zimbabwean economy has stabilized and experienced growth, but further reforms are necessary to sustain this growth. USAID has recently begun funding a program to strengthen human and institutional capacity for economic policy analysis, and rebuild Zimbabwe's statistical foundations for economic analysis.

Economic recovery must be broad-based and result in increased employment opportunities for Zimbabweans, particularly marginalized groups such as women and youth.

As the economic recovery deepens, issues of environmental and natural resource management and climate change become critical to the achievement of sustainable growth. Domestic and trans-boundary concerns include water resources management in the drought-prone southern African region, soil erosion, loss of forest cover, and the seemingly intractable problem of fossil fuel power generation. While USAID is not working directly in or investing in these areas, with respect to policy restrictions, the bilateral and southern Africa Missions along with other USG agencies use diplomacy and development policy engagement within Zimbabwe and the region to highlight environmental best practices that would lead to a sustainable growth path. In order to strengthen livelihoods and increase resiliency, particularly in drought-prone communities, USAID supports agriculture and food security activities that promoted crop diversification and improved farmers' access to seeds and fertilizer.

There is no doubt that we face significant constraints and a difficult operating environment in Zimbabwe. Operating in a transitioning state has been especially challenging for the civil society organizations with which we work. In the process of trying to improve health, livelihoods, freedom, and human rights for their fellow Zimbabweans, they face harassment and threats from the very government that should be their ally. Change must come from within the country, and it will not happen overnight. At the same time, U.S. support has been able to make considerable progress in certain areas.

In summary, we remain committed to the people of Zimbabwe as well as the goal of a democratic, responsive, and accountable government that reflects the will of Zimbabwe's people. Thank you for the opportunity to speak with you today. I welcome your questions and look forward to continuing our discussion on this important topic.

Mr. FORTENBERRY [presiding]. Thank you, Ms. Cromer, for your testimony, and we appreciate your willingness to be here.

I am quickly getting caught up. I am sorry I missed the first part of the hearing, but we will turn now to questions.

Ambassador Carson, thank you as well for your testimony. I will start with you.

The United States was the first country to extend diplomatic relations to Zimbabwe. You were once the Ambassador there. Could you go a little bit more into the history of why the relationship has been so contentious for so long, even predating our recent appropriate criticism of human rights and the political process or the breakdown of political process there?

Ambassador CARSON. Thank you very, very much for that question.

The relationship with Zimbabwe has not always been contentious. It has had its ups and its downs. I would say that in early 1980, as reflected by the fact that the United States was the first country to recognize Zimbabwe, that in the early years of that relationship we got along reasonably well with a new Zimbabwean Government, a Zimbabwean Government that benefitted from our diplomatic efforts along with British diplomatic efforts to lead to that country's independence.

The United States Congress, in the late 1970s, played a critical role in maintaining sanctions on the Smith regime. I believe the new Zimbabwean Government appreciated that greatly.

Relations started to deteriorate somewhat in the mid-1980s because of the violence that was perpetrated by ZANU against its main rival, ZAPU, in which hundreds, tens of hundreds of people were killed in Matabeleland. We protested those human rights records and encouraged reconciliation. That reconciliation did, in fact, come and it resulted in the merger of ZANU and ZAPU into what we now have as ZANU–PF.

Our relationship, fast-forward, started to deteriorate quite rapidly in the late 1990s, largely as a result of the government's allowing of massive land invasions and undermining the legitimacy of land titles and human rights in that country. We also were alarmed at the increasing rise of corruption in the government and, also, the harassment of political opposition movements that were opposed to ZANU–PF.

It has been an episodic up and down, but it has not always been a bad relationship. As I said, in 1980, if we had gone back and looked in time, half of the Cabinet that came in in 1980 was U.S.-educated, educated as a result of scholarships given by the U.S. Government to many of those ministers.

Let me say that one of the things that Mr. Mugabe constantly raises and criticizes the United States about is the fact that he believes, I think quite wrongly, that the United States promised to provide a massive amount of money to his government in order to help buy White Zimbabwean-owned farms and transfer them to Black Zimbabweans. The historical record on that has been examined many times. In fact, there was no commitment of the type that he suggests was made.

I can go into some degree of detail because we have over time said to the Zimbabweans we were willing to help them engage in

transparent, legitimate, and meaningful land reform, but it had to be transparent; it had to be based on a willing seller/a willing buyer basis; that government officials could not themselves be a part of the process, and that the transparency of this had to be done in a way that all were able to participate, knowing that there was no preference for those in one party or for part of the leadership.

I think that is a quick summation, but it has been an episodic relationship.

Mr. FORTENBERRY. Well, thank you for that and, also, for reminding us of the difficulty in terms of the undermining of the rule of law and legitimate land title issues that clearly are part of this episodic problem, as you rightly point out. Thank you.

Ms. Cromer, let me turn to you and ask you a related question in this sense: In Zambia we saw an excellent example of fair and free elections and a peaceful transition from power, as you point out, and an effort that was led and determined by the Zambian people.

Given the proximity and the neighborhood, explain why similar dynamics cannot seem to arise in Zimbabwe?

Ms. CROMER. Thank you for that question.

It is difficult for free and fair elections to arise in a country where the majority of the population aren't allowed to voice opinion and participate in a democratic process. We are working very diligently with the Parliament and certain parts of the unity government to support reform-minded individuals and processes to allow the citizens of Zimbabwe to have such a voice, particularly the youth, to give them an opportunity for peaceful engagement and meaningful engagement.

The mechanics of an election are important. That process, that democratic process is important, but we also believe that the daily opportunities of individuals to share in the decision making that goes on in their country is also a critical part of democracy. So, it is not a particular election that is important, but it is the entire democratic process.

Mr. FORTENBERRY. Well, I would like to point out democracy cannot bring about the values upon which it rests. So, is this repression, fear, but also a structural problem in terms of civil society that does not empower the organization, the advancement of people, the willingness of people to come forward and promote this type of civil society structure? Is it all of the above?

Ms. CROMER. You have a courageous civil society in Zimbabwe. There are civil society organizations, like the one I think you will hear from in the next panel, that are making courageous attempts to give voice to the aspirations of the people of Zimbabwe, and to provide basic services to those people. But they are constantly harassed and their efforts are diminished.

So, under USAID's reform efforts, we are putting a great deal of emphasis on building the capacity of local organizations to not only deliver technically, but to also serve as advocates for reform and change and to work more effectively. But, again, these organizations come under enormous pressure, and we appreciate their courageousness and their willingness to step forward.

Mr. FORTENBERRY. Thank you.

With that, I will turn to our ranking member, Mr. Payne of New Jersey.

Mr. PAYNE. Thank you very much, Mr. Chairman.

Let me ask, Secretary Carson, what in your assessment of Zimbabwe's coalition, what is your assessment of the coalition government, and how do you see the influence or lack of authority from Prime Minister Tsvangirai? Is there any kind of parity in the government in your opinion?

Ambassador CARSON. The coalition government has worked only marginally well, marginally well. It has many more shortcomings than it does have positive assets and benefits.

The most positive thing that can be said about the coalition is that it has brought all three parties together. They are working as a team, sometimes not very efficiently or well, but it has brought them together to enter into discussions and to debate and discuss public business.

But to suggest that it has gone smoothly would be a great mistake. Over the last 3 years, there have been numerous occasions when Prime Minister Morgan Tsvangirai has publicly stated that the Global Political Agreement has not been honored by President Mugabe, that President Mugabe has not consulted him on Cabinet appointments, on the selection of district administrators, on the appointment of Zimbabwean ambassadors abroad. And he has also not consulted him on policies in which the Prime Minister should be directly involved.

There have been numerous occasions in which the Prime Minister has said that he was on the verge of leaving the coalition because of the failure to consult and to make progress on elements related to the Comprehensive Peace Agreement.

There have been continued reports of harassment of MDC/Tsvangirai political officials by ZANU–PF security personnel, both the police and the military. MDC has had great trouble organizing itself and protecting its constituents.

Where we have seen some benefit is in the leadership of the Finance Minister, Mr. Tendai Biti. There is absolutely no question that he has brought a sense of management and fiscal responsibility and organization to the Ministry of Finance that was not previously there. There is a great deal of accountability, and he seeks to ensure that budgets are established in a transparent way, that funds coming into the treasury are distributed according to the manner in which Parliament has determined they should be, and that these funds get out to government ministries and officials.

So, Tendai Biti has been successful. He has had difficulties working with the bank Governor, who remains very close and loyal to Mr. Mugabe. But he has done, given the constraints, an excellent job.

Several of the other ministers who are a part of the MDC have also acquitted themselves extraordinarily well. But they have done this in very difficult situations, as I said, under political harassment in the field. You, yourself, mentioned in your opening remarks about a demonstration that occurred just in front of Harvest House, which wasn't directed initially at the MDC. But there are these concerns that continue to linger.

It has been a difficult and sometimes strained marriage that has been held together by the marriage counseling provided by South Africa and SADC.

Mr. PAYNE. Just a quick point on that. As we remember, former President Mbeki was sort of non-decisive as it related to Zimbabwe. It seems like President Jacob Zuma has taken a stronger stand. Do you see a real difference in the new approach from President Zuma, and do you think this will push Mr. Mugabe to really consider reforms?

Ambassador CARSON. I think that South Africa's stewardship of the process of reconciliation or promoting reconciliation in Zimbabwe has been strengthened during the period in which President Zuma has been the head of state in South Africa. I think there have been two very good, recent SADC conferences in which SADC, under the leadership of South Africa, has placed some clear requirements for progress on Zimbabwe. We hope that the Zimbabwean Government will heed those requirements and criteria.

First and foremost, clearly, has been the requirement that the new constitution be completed and that there be a referendum on that constitution prior to the holding of any new national elections. Mr. Mugabe would clearly like to have elections early, but it is clear from what we are hearing from SADC and from the South Africans that they want the ZANU–PF leadership to follow the roadmap that SADC has laid out, which is in line with a full implementation of the Global Political Agreement, a new constitution after consultations, a referendum, and then national elections. There are other things that are also required that have to be done as a part of the roadmap.

Mr. PAYNE. My final question, as my time has about expired. Deputy Administrator Cromer, in your testimony you discussed the USAID's democracy-in-governance efforts, including your role in facilitating civil society input in the formation of the new constitution and engaging reform-minded elements within the unity government. It is my understanding that USAID's democracy-and-governance program for Zimbabwe is currently under review.

Would you be kind enough to elaborate on the program, particularly any challenges you have faced in dealing with the unity government and what assistance, if any, is the U.S. providing to ensure Zimbabwe's next election is fair and free, and maybe when it might be held in 2012, what portion of it, if you would? And the constitution review, are we involved in helping them on that constitutional review?

Ms. CROMER. Thank you.

Given the significant delay in finalizing a new constitution, and the need for a referendum, as the Assistant Secretary has said, in advance of the next elections, like the Assistant Secretary, we don't believe that the groundwork has been laid for elections in the near-term. We think late 2012 at the earliest, but a lot of work needs to be done.

The overall goal of assistance in this area is to contribute to creating conditions for credible electoral processes in Zimbabwe, including the constitutional referendum, working on election administration, domestic observation, political party strengthening for

Presidential, parliamentary, and local elections. It is a big order. Support to the Zimbabwean Electoral Commission aims to develop a transparent and credible process for electoral administration.

In a country-specific and tailor-made way, responses to the knowledge and capacity gaps in the Electoral Commission system in Zimbabwe have to be analyzed and the capacity-building efforts have to be focused on the needs specific to the Electoral Commission in Zimbabwe. We anticipate that training support, voter registration, civic and voter awareness, political finance, and voter dispute resolution are all things that need to be addressed.

Lastly, domestic observation needs to focus on greater transparency and accountability in the Zimbabwe electoral process, and strengthening the civil society's ability to serve as observers of the election process is going to be critical.

So, all of this is what was seen in Zambia, I am sure, and what we don't see at this point in Zimbabwe, and we will need to work hard to achieve this.

Mr. FORTENBERRY. Thank you.

Mr. Turner from New York, did you have any questions?

Mr. TURNER. Thank you, Mr. Chairman, not at this time.

Mr. FORTENBERRY. Let me ask a final quick question of you both. According to press reports, the international diamond regulators have agreed to allow Zimbabwe to trade up to $2 billion in diamonds. Does this have the potential to underwrite the ruling elite and undermine legitimate electoral process?

Ambassador CARSON. Sir, let me, if I could, respond to that. Occurring right now in Kinshasa, the DRC, is one of the yearly intercessional meetings of the Kimberley Process. The Kimberley Process was established over a dozen years ago in order to prevent conflict minerals, and diamonds in particular, from getting into the marketplace, diamonds that were used by rebel groups to fund their criminal activities undermining governments and destroying the lives and human rights of citizens across the continent.

The Kimberley Process has, in fact, been very effective in dealing with conflict diamonds in places like Liberia, Sierra Leone, Central African Republic, Angola, and others. I say this as a preface because the Kimberley Process has been under enormous stress over the last 2 years, 3 years, because of the discovery of diamonds in an area called Marange in Zimbabwe, and the use of government elements to go in and exploit these diamonds in a way in which the human rights of artisanal miners and others have been undermined and destroyed.

The Kimberley Process and we have been pushing very hard to try to come up with a way to ensure that the diamonds from Marange would, in fact, be brought under some kind of supervision, that there would be a monitoring of the diamonds taken out of these conflict areas in Zimbabwe, that civil society would have an opportunity to go in and view for themselves whether there were illegal or criminal activities going on there.

We have been working very hard inside of the Kimberley Process to encourage greater respect. This has resulted, in the last 2 days, an agreement has been reached, an agreement that was pushed forward by the European Union. It is an agreement that has been endorsed by the Kimberley Process countries.

The agreement is far from perfect. The United States did not vote for it. We abstained because we thought the barriers were a little bit too low.

But it does represent an opportunity again for the international community to go in and ensure that diamonds coming out of Marange are not the result of human rights violations, and that they are monitored, the sales of these diamonds are monitored in a transparent fashion.

Revenues from these diamonds will, in fact, go into the hands of a variety of individuals, including the government. But it does, in fact, establish a level of procedure that will ensure that human rights violations are not occurring and that some of the egregious activities that were undertaken by the Zimbabwe military several years ago will stop, and if they do occur, will be monitored and reported on.

So, it is a step forward. It is not a perfect step because this is not a problem that was originally anticipated when the Kimberley Process was established. It was established to monitor the diamonds being sold by rebel groups, not diamonds which were being handled by a government.

Mr. FORTENBERRY. Well, you answered one side of the coin in regards to a potential process to stop the exploitation of vulnerable people, but the other side of the coin as to where this revenue is going to go leaves us a little bit uncertain as to the answer to my question, whether this could potentially undermine legitimate electoral reforms.

I just give you a sense of this based upon the quote from the Mining Minister who said, "We are going to shock the world. We are going to unleash our worthiness. Zimbabwe will no longer be begging for anything from anybody," which suggests that this is not necessarily an attempt to join a responsible community of nations in some sort of organized trade fashion.

So, I just submit that to you. I respect what you said in terms of this process being partially effective in preventing the type of exploitation of vulnerable folks, but, again, where is the money going to go? That is, I think, a very open-ended question here.

Ambassador CARSON. If I could respond? The response is clearly this amount of money will be a shot of adrenaline, but it will not, in fact, be long-term sustenance. The Zimbabwe economy will take more than just Marange diamonds to recover from the low level in which it has been operating over the last decade and a half.

Zimbabwe needs to rebuild its agriculture, reestablish its tourism, rebuild its mineral sector, and rebuild the financial basis on which it has been able to operate.

Mr. FORTENBERRY. All excellent points.

Ambassador CARSON. It is a shot of adrenaline, but not very much——

Mr. FORTENBERRY. But can we be assured that these funds will actually go toward that capacity-building? I think that is perhaps a question that could be further explored, maybe even in the next panel.

But Mr. Payne?

Mr. PAYNE. Right, and I agree. There already have been some complaints by Mr. Biti, the Finance Minister, that the funds are

not getting where they should be. But we certainly should encourage them to go to improve the quality of life for the people in the country, and not to bolster the government to strengthen the military or some other nefarious kind of activities that would not be beneficial.

I have a quick sort of similar question to Ambassador Carson. You mention in your testimony that the State Department is doing what you can within the confines of the targeted sanctions program to promote Zimbabwe's economic recovery and to highlight opportunities to invest for investments that will benefit U.S. and Zimbabwe businesses.

Could you elaborate on that? What are we doing? And are we engaging small and medium-sized or minority businesses? Are we engaging Zimbabwe and the American diaspora community?

And the other thing I wonder, how can U.S. businesses engage with Zimbabwean businesses while still complying with U.S. sanctions? Someone in my district said he was going to try to do a small business in some kind of stones, not diamonds or anything, but Zimbabwe means rock, actually. There is a certain kind of rock stone that is used in kitchens, or whatever, and he was interested in getting involved in that. So, I wonder, what is the stance that we have as it relates to small businesses or things of that nature?

Ambassador CARSON. Thank you, Mr. Payne.

It is worth iterating again that we do not have comprehensive sanctions against Zimbabwe. We have very precise and targeted sanctions against those individuals in senior leadership positions who are most responsible for undermining the democracy of the country and the human rights of its citizens, 121 individuals and three dozen companies, companies that are owned by ZANU–PF, companies that are owned and run and operated by the military.

There is no prohibition that would limit an American company from being able to go in and to effectively do business in Zimbabwe. If, for example, Coca-Cola or Pepsi-Cola or somebody like that has an operation there, they could continue to operate. If there were agricultural companies, Pioneer, Cargill, Monsanto, they can continue to operate there. They can sell seed and fertilizer. They can buy product. They can process product and sell it in-country.

And so, it is not designed, these sanctions are not designed to hurt the Zimbabwe population, but to hurt those individuals in senior leadership positions in Zimbabwe who are most responsible for undermining the rule of law in that country. That is where we go.

We have, through our USAID programs, been engaged in trying to help small-scale agriculture and agriculturalists in Zimbabwe, including establishing some new admittedly small programs since the MDC joined the government. We have given out small grants to farmers to help increase their agricultural production. We hope that some of this will be used not only for subsistence, but also surplus to be sold into the marketplace.

So, there are programs and there are ways to work with small-scale operators through some agricultural programs and, also, through some micro finance and micro lending operations. And, yes, our Ambassador in Zimbabwe recently helped to bring a group

of Zimbabwean businessmen here to try and promote business in Zimbabwe. None of that is against any law or against any sanction.

I would be the first to say that, given the macroeconomic conditions in the country, given the way in which the government has talked about indigenization plans, the way in which the courts have operated inconsistently and unfairly in the protection of both civil liberties and corporate liberties, the companies will think more than once about going in there, but it is not against the law for them to think about it and to be able to exploit opportunities as they come up in the country.

Mr. PAYNE. Thank you.

Mr. FORTENBERRY. I thank the gentleman.

I think that will conclude our panel. Thank you, Ms. Cromer and Ambassador Carson, for coming today and for your insightful testimony.

Mr. Ambassador, I learned something about you a moment ago. I understand that much earlier in your career you were staff director for this very subcommittee. We are very happy to see that we helped launch you into such a successful career trajectory. So, thank you for your service.

Ambassador CARSON. Let me say that it is true; I can't run away from my history. I spent 4 years here. I was, in fact, a Foreign Service officer at the time when I was asked to come up here.

Mr. FORTENBERRY. Well, you wear the scars well. [Laughter.]

Ambassador CARSON. Let me just say I learned a great deal from being up here. I hope that my Foreign Service career was well on a positive trajectory before I arrived. Maybe it got a little bit of a catalyst while I was here, but that is subject to debate as well.

Mr. FORTENBERRY. Thank you both for coming today.

We will move now to our next panel. We welcome you all today. Thank you so much for joining us.

Let me first introduce Mr. Mark Schneider of the International Crisis Group. Mr. Schneider joined the International Crisis Group in the spring of 2001 as senior vice president and special advisor on Latin America. He directs the Washington Advocacy Office, conveying Crisis Group analyses and recommendations to the White House, the State Department, the Department of Defense, Congress, as well as the World Bank. He also serves as special advisor on Latin America and on HIV/AIDS and security.

Before joining the International Crisis Group, he served as Director of the Peace Corps and as Deputy Assistant Secretary of State for Human Rights.

Welcome, Mr. Schneider.

I will introduce all of you, and then we will turn to you, Mr. Schneider, for your opening remarks.

Mr. Paul Fagan is with the International Republican Institute. Welcome.

Mr. Fagan began his career at the International Republican Institute in 1995. He currently serves as the regional director for Africa, where his duties include oversight of the program in Zimbabwe. He served as the first East Africa resident regional director based in Kenya and as IRI's resident country director for Zimbabwe. He served in this position through Zimbabwe's parliamentary elections in 2005. He later served as acting deputy di-

rector for Africa and has served on election observation missions in African, European, and Asian countries.

Welcome.

Mr. Dewa Mavhinga is with the Crisis in Zimbabwe Coalition. Mr. Mavhinga is a human rights lawyer and activist currently working as regional coordinator for the Crisis in Zimbabwe Coalition, based in South Africa. Mr. Mavhinga has previously worked with Human Rights Watch, in London, in the African Division as a researcher on Zimbabwe.

He has conducted extensive research on the human rights situation in that country and has lobbied at the Southern African Development Community, the Africa Union, and the United Nations Human Rights Council.

Welcome as well.

Mr. Schneider, would you care to begin, please?

STATEMENT OF MR. MARK SCHNEIDER, SENIOR VICE PRESIDENT, INTERNATIONAL CRISIS GROUP

Mr. SCHNEIDER. Thank you very much, Mr. Chairman. I want to thank the chairman and the subcommittee, the ranking member, and the other members for the opportunity to testify today.

I think it is extremely important, the timing of this hearing. As we heard earlier, only yesterday the Zimbabwe security forces teargassed and invaded the headquarters of the opposition MDC party in Harare.

Crisis Group is an independent, non-governmental, non-partisan organization that, through field-based analysis, policy recommendations, and advocacy, seeks to prevent conflict. We are active in some 62 countries around the world. In Africa, we have four subregion programs that focus on the Horn of Africa, Central Africa, West Africa, and Southern Africa.

Mr. Chairman, Zimbabwe currently is in the midst of another national struggle. As we heard earlier, its first one was for independence. It is now in another struggle to move from what has been dictatorship to democracy.

For 30 years, since its independence in 1980, Robert Mugabe has ruled uninterruptedly. His age and ill health now virtually guarantees new national leadership. It is that very prospect that has been the core of resistance to democratic change by his party, ZANU–PF, and by Zimbabwe security forces.

To some degree, what we have seen since 2000 is the obvious exhaustion of that de facto one-party state and the rejection by the population of efforts to sustain it. As a result, he has remained in power essentially through repression, flawed elections, and, unfortunately, economic measures that, as you have heard, have sent Zimbabwe basically into the lower ranges of global human development. The UNDP's ranking for Zimbabwe now is in the 170–173 range of the countries of the world.

Just as one example, even today with a slight increase last year in GDP, there is somewhere between 90 and 95 percent unemployment in the country. As you have heard, since the violent and tainted electoral process in 2008, only massive diplomatic intervention by SADC and the African Union prevented a major implosion in the country.

And the Global Political Agreement that was signed then and that set up this coalition government was aimed at doing two things fundamentally: One was normalizing political processes, and the other was fostering the conditions for free and fair elections. Unfortunately, I would even go further than the earlier testimony. Most of the major GPA reforms have not been achieved. Particularly, the ZANU–PF forces have impeded or ignored its implementation. Commissions have been named, but not staffed. Laws have been passed, but not enforced.

And the building blocks of credible elections are yet to be put in place. I think that you have heard there has been an effort made to push through early elections, even in the absence of those building blocks, adequate voting rolls, a balance in the secretariat of the Zimbabwe Electoral Commission. The same people who ran the 2008 election continue to staff that body, and that has been a major concern.

SADC and the African Union were co-guarantors of the GPA and given the responsibility to monitor it. I will say that only this year have we seen the first really strong critique from SADC that came about in April of this year. There were promised deployments that have still not materialized in terms of support for a monitoring process.

I think that the sine qua non for progress right now is the approval of a roadmap to elections. It was tentatively drafted in April with the support of SADC. In July, the negotiators said, "We agree to this." There are still gaps, but the party leaders have not yet approved it. Until there is movement to put that roadmap into effect, we are not going to get to credible elections. The result could well be another violent experience that occurred in 2008.

Just quickly, there are three key issues: One is an end to state-sponsored violence; the second is achieving some degree of security sector reform; and a third is, as I said, altering the control by ZANU–PF of the Electoral Commission secretariat. That is the only way that we are going to see clear movement, get constitutional reform, the referendum, and then movement toward general elections.

In addition to what you have heard today, the state-sponsored violence has also included not simply the attack yesterday and this tear-gassing, but several weeks ago, again, the invasion by a ZANU–PF militia of the head party headquarters. The rallies by MDC have been broken up by physical force. The members of the MDC who are members of the Cabinet, a half a dozen of them have been arrested since last April, then released, all on bogus charges. Just to give you some sense, about a third of the MDC members of Parliament who have come into the Parliament since 2008 have been arrested at least once by the security forces.

Also, it wasn't mentioned, but I think it is important to note that the former defense head, Solomon Mujuru, died in August at his farm under very questionable circumstances. Within the governing party, he had been a source of moderation, and his wife, as you know, is Vice President. They had been seen as elements that were looking for a compromise and for moving forward on GPA. So, it is of great concern that this has occurred.

Second, I think that on security sector reform, there are key things that were in the roadmap that seemingly were agreed to that have not moved forward. As I said as well, the Zimbabwe Election Commission secretariat needs to be more balanced and more professionalized.

I think the key outside actors are SADC and the African Union, but the United States does have a critical role to play. I will simply note here that the U.S. engagement needs to be done in lockstep, if you will, with SADC and with the efforts of the facilitator, President Jacob Zuma. That is the only way that we are going to be able to support a process in which the GPA and the roadmap will move forward.

I think that it is clear from the earlier testimony that we see President Zuma as taking a much more active role now. The U.S. can play a significant role, but needs to support that process. And we can go into the details of my testimony, which I hope would be put into the record, about some of the elements in terms of support for the electoral process, the electoral observation, the effort to carry out some sort of countrywide dissemination of the constitutional reforms before the referendum. So, support for that process would be very important.

Similarly, on the media reform, the U.S. can support the efforts by SADC to push that forward. These would be some of the areas where we believe it would be possible to strengthen the process of moving this situation from where it is today. If it continues on the current path, it is more likely to implode than to progress.

[The prepared statement of Mr. Schneider follows:]

International Crisis Group
WORKING TO PREVENT CONFLICT WORLDWIDE

Testimony by Mark L. Schneider, Senior Vice President, International Crisis Group to the House Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights on "U.S. Policy Toward Zimbabwe"

2 November, 2011

I want to express my appreciation to Chairman Smith and the House Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights for the opportunity to testify this morning on "U.S. Policy Toward Zimbabwe." I want to commend the committee for focusing its attention at a crucial time for the people of Zimbabwe.

Crisis Group is an independent, non-partisan, non-governmental organization that provides field-based analysis, policy advice and advocacy to governments, the United Nations, and other multilateral organizations on the prevention and resolution of deadly conflict. Crisis Group was founded in 1995 as an international non-governmental organisation by distinguished diplomats, statesmen and opinion leaders including Career Ambassador Mort Abramowitz, Nobel Prize winner and former Finland president Martti Ahtisaari, the late Congressman Stephen Solarz, and former UN and British diplomat Mark Malloch Brown who despaired at the international community's failure to anticipate and respond effectively to mass atrocities in Rwanda and Bosnia. Ambassador Thomas Pickering is our co-chairman and Louise Arbour, former chief prosecutor at the International Criminal Tribunal for Rwanda and at the International Criminal Tribunal for the former Yugoslavia is our president.

Crisis Group publishes annually some 80 reports and briefing papers and the monthly *CrisisWatch* bulletin on conflict regions around the world. Our staff are located on the ground in twelve regional offices and seventeen other locations, covering more than 60 countries. Crisis Group's Africa program oversees four projects covering Central, Southern, and West Africa, and the Horn of Africa, reporting on 20 different countries within these regions. In sub-Saharan Africa, the Crisis Group regional program headquarters are in Nairobi, with additional offices in Dakar, Senegal, and Johannesburg, South Africa. Crisis Group has produced 25 reports/briefings overall on Zimbabwe, most recently on the continued political and security crisis in that country.

Background: Zimbabwe, a landlocked country of some 12.5 million inhabitants, is caught in a decade-long political struggle to move from dictatorship to democracy. For 30 years, since independence in 1980, 87 year-old Robert Mugabe has ruled uninterruptedly. Starting in the early 1990s, however, the de facto one-party Zimbabwe African National Union – Patriotic Front (ZANU-PF) state implemented various measures to increase its grip on power, including a crack-down on civil liberties. The actions taken after a violently unfair election in 2008 brought the country to near collapse. Only massive diplomatic intervention by the Southern Africa Development Community (SADC) and the Africa Union (AU) secured the Global Political Agreement (GPA). Signed on 15 September 2008, the GPA was intended to help lay the foundations for normalizing political processes and by extension foster conditions for free and fair elections. It provided for a coalition government, formed in February 2009, between ZANU-PF

and the Movement for Democratic Change formations (MDC-T and MDC-M), but has failed to meet even minimal expectations for shared power.

Major reforms promised in the agreement have yet to be accomplished. Those reforms are critical before acceptable elections can be envisioned, now almost certainly not possible until late 2012 or 2013. ZANU-PF is now calling for elections by the end of March 2012, once the constitution-making process is finalised, with serious question about the country's readiness or the capacity of the Zimbabwe Election Commission (ZEC) to meet that unrealistic target.

The GPA has been treated as a 'ceasefire' document and as a framework for further negotiation, rather than as a formal agreement to be implemented. The primary GPA protagonists, ZANU-PF and MDC-T of Morgan Tsvangirai, have tried to utilise the agreement to further their competing objectives and frustrate their opponents. ZANU-PF has used it as an opportunity to regroup, consolidate and recapture political hegemony and, in absolute control of security forces, has used repression to further those objectives. The political opposition, dominated by MDC-T, has used GPA as an opportunity to promote policies and processes that would further weaken ZANU-PF's 30-year grip on power, but with a fundamental difference, an apparent readiness to respect pluralism and accept the outcome of democratic processes as a reflection of popular will.

The major hope was that the facilitators and co-guarantors of the GPA process and the final agreement, the Southern Africa Development Community (SADC), led by South Africa, and the African Union (AU) would forcefully monitor and expose violations of the GPA. Thus far, they have been unable to secure the reforms promised in the document. Last March SADC's Organ for Politics, Defense and Security issued its first strong public communiqué on lack of progress with respect to GPA implementation. President Jacob Zuma of South Africa is the current SADC named facilitator to secure GPA progress.

Current Challenges: There are three major obstacles to the movement toward implementation of the GPA, completion of constitutional reform and free and fair general election. They form key guideposts of what is still a draft roadmap to elections promoted by SADC and tentatively agreed by the party negotiators in July. In fact, the sin qua non for progress is the completion and approval of that roadmap by Zimbabwe's political party leaders.

a. State Sponsored Violence

State security forces, working with proxy and surrogates (i.e. war veterans, youth militia) were primarily responsible for the campaign of terror and intimidation between April and June 2008 that resulted in an estimated 300 deaths and more than 15,000 human rights abuses and other attacks. The ZANU-PF's informal militia infrastructure has not been held accountable for violations, despite an explicit commitment in the GPA to do so (Article XVIII) and has not been dismantled. MDC and civil society groups see those security forces as continuing to pose a threat across the country, especially during a critical election. ZANU-PF categorically denies responsibility for state sponsored violence and accuse the MDC and civil society groups of utilising this issue as an integral part of their regime change agenda. It has also launched a counter offensive to portray the MDC as a violent political party.

These contradictory narratives underscore the importance of having an impartial and trustworthy mechanism to investigate allegations of violence and actions undermining the GPA.

With limited options, the Joint Monitoring and Implementation Committee (JOMIC) set up under the GPA appears to be the preferred mechanism for investigating allegations of violations. However,

deployments promised by SADC to staff JOMIC have failed to materialize. Similarly the national Human Rights Commission, established in 2009, would be an independent mechanism for investigating violations. However, it has no legal mandate, operational budget, staff or resources.

There have also been ongoing incidents of human rights abuses, public violence and systemic impunity, perpetrated by Zimbabwe security forces and militia directed by ZANU-PF adherents. In June, an explosive device detonated outside the home of MDC-T Finance Minister Tendai Biti. In July, ZANU-PF supporters invaded the parliament. Last month, Harare township based pro-ZANU-PF Chipangano militia are believed to be responsible for an attack on the MDC-T headquarters Harvest House and for an assault on MDC-Youth wing organizing secretary. This is compounded by ongoing selective application of the law, including the arrest of MDC activists parliamentarian and cabinet ministers on bogus charges.

- March - MDC-T Minister of Energy Elteon Mangoma, who also is an MDC-T negotiator and member of the JOMIC was arrested twice.
- April – MDC-M's co-minister for national healing Moses Nzila Ndloyu, was detained for addressing an '*illegal*' memorial service.
- June - Jameson Timba, MDC-T Minister in the Prime Minister's office was arrest for insulting President Mugabe.
- July - MDC-N party president Welshman Ncube was detained by police.
- August - MDC-T minister James Timba was arrested again.

b. Security Sector Reform (SSR)

The provisions for SSR in the GPA are relatively weak and have yet to produce significant shift in the one party domination of security forces. Despite the creation of a National Security Council, it is dysfunctional and there is no policy to underwrite effective civilian oversight of security and intelligence forces. As a result, control of the security forces remains centralised in the hands of the presidency and ZANU-PF controlled ministries. ZANU-PF have argued that the security issue is 'off limits' and has instructed its negotiators to not engage on this issue.

Divisions in and uncertainty about who will succeed 87 year old President Robert Mugabe have been compounded by the death – under highly questionable circumstances – in mid August of prominent ZANU-PF politburo member and former commander of the Zimbabwe Defence Forces, Solomon Mujuru. Mujuru, husband of Vice President Joice Mujuru, had been seen by security sector voices as too willing to compromise with MDC on key issues. Mugabe's health is impossible to determine. The last week of October he reportedly made his second visit in the month to doctors in Singapore, the eighth visit this year. After 30 years in power, his capacity to govern is inevitably waning. That fact alone makes internal ZANU-PF politics and, by extension, the country fluid and increasingly volatile.

The central concern of the MDC formations and large sectors of civil society remains that the security sector officers in collaboration with ZANU-PF proxy agents, will undermine democratic elections. Even if the MDC win, they are profoundly worried that those forces would prevent a transfer of power.

c. Composition of the Zimbabwe Electoral Commission's Secretariat

Having secured a more representative grouping of ZEC commissioners, the MDC has raised concerns about the composition of the ZEC's secretariat, which remains fundamentally unreformed. This is the same secretariat that presided over the disputed 2008 election processes which they declared to be free and fair, despite palpable evidence to the contrary. According to the MDC, the secretariat includes

security sector personnel and other ZANU-PF loyalists. ZANU-PF has refused to consider altering the secretariat composition. If there is a single vital key to building confidence in the roadmap toward elections, it is a more balanced and professional secretariat, ideally one bolstered by SADC experts and monitors. Beyond that issue there is substantial question with respect to the accuracy of the voter rolls and an independent audit of that registration list is needed.

As of late October 2011, these areas of disagreement have not been resolved by the negotiators, and have been exacerbated by mutually recriminating public narratives and an absence of the forceful SADC presence in support of the JOMIC monitoring mechanisms promised in the March communiqué.
There have been some modest examples of cooperation and progress, as illustrated by the much-delayed constitution-making process which has reportedly produced a draft document although no agreement yet has been achieved on when its content will be made known nationally, how to assure adequate public debate over its provisions, and how and when a credible referendum can be conducted for its approval.

Also some basic services have been re-established and the overall economic situation in the country has improved. Nevertheless, Zimbabwe has dropped to the lowest ranking of 169 countries in UNDP's Human Development index, showing an average annual decline in income per capita, health and education rankings and most Zimbabweans live below the poverty line. The current situation does not provide a foundation for sustainable economic recovery and employment, attract adequate investment, or offer options for a return of a massive diaspora. The recent lifting of South Africa's moratorium on deportation of undocumented Zimbabweans during October is likely to exacerbate social and economic pressures.

The formal establishment of new or reconstituted democracy supporting institutions, such as the Anti Corruption and Human Right Commissions (HRC) is positive but they have yet to move beyond appointment of commissioners to become operational. The newly constituted multi-party composition of the Zimbabwe Electoral Commission and Media Commission are steps forward but both limited capacity. Media reform has resulted in the licensing of several new newspapers and improved access for foreign media agencies. State broadcasting, where most Zimbabweans access their news, remains clearly partisan in favour of ZANU-PF, who in turn point to the continued presence of 'pirate' radio stations as an implicit justification for not expediting licensing of new radio and television outlets. The promise of two new licences for radio stations has not been met and will be determined by individuals who have a dubious track record when it comes to media freedom. Last month, the Prime Minister told Parliament that the Broadcasting Authority of Zimbabwe, which presides over the licensing process, would be reconstituted. When and by whom remain unclear.

An unfortunate pattern has emerged whereby agreement is reached around specific reforms between respective ZANU-PF and the MDC negotiation teams under the auspices of the SADC facilitators, but subsequent implementation of these agreements is thwarted. This has frustrated the reform process and SADC members, who are co-guarantors of the GPA with the African Union. In 2011, SADC has becoming increasingly critical of the failure to implement reforms, particularly those aimed at creating the conditions for free and fair elections. SADC's frustrations reflect concerns that have been repeatedly highlighted by the MDCs and civil society.

There is little doubt that the GPA has been repeatedly violated. Monitoring and anecdotal evidence supports the assertion that ZANU-PF and its proxies are primarily responsible. However, the GPA's own internal monitoring review processes (i.e. the Joint Monitoring and Implementation Committee – JOMIC) and the Periodic Review Mechanism have not been in a position to publicly confirm or deny such

assertions. The situation is also coloured by a residue of mistrust and concern amongst some SADC members about the MDC's capacity and competency and lingering loyalties to the ZANU-PF project. The inability of MDC-T to reach common positions with MDC-N (now the party faction led by Welshman Ncube) has added to those concerns, not to mention the pending challenge to Ncube by that faction's former leader Arthur Mutambara.

But at this stage, one must ask what will and can be realistically achieved in terms of the core concerns now outlined in the roadmap, if violation and resistance continue. The situation is also coloured by a residue of mistrust and concern amongst some SADC members about the MDC's capacity and competency and lingering loyalties to the ZANU-PF project.

There needs to be a more sustained call from political and social formations both inside Zimbabwe and the diaspora, as well as by key external actors, including South Africa, SADC members, the USA and the European Union (EU), for a more inclusive process that goes beyond the three political parties to insure participation by civil society in the key issues remaining on the roadmap to fair and free elections sometime over the next year and a half.

Constitution

A 25-member Select Committee of Parliament on the Constitution (COPAC), co-chaired by ZANU-PF, and MDC-T and MDC-N representatives, was established in April 2009 to drive the process. A management committee comprising the GPA negotiators (the three political parties), the three co-chairs of the Select Committee and the constitutional and parliamentary affairs minister (Eric Matinenga, MDC-T) was created to provide policy direction and oversight. A steering committee composed of the three co-chairs of the Select Committee, their three deputies and two representatives from civil society is responsible for overseeing implementation of management committee decisions. Although the constitutional and parliamentary affairs ministry is the agreed focal point for the exercise, the management committee is in practice the pivotal institutional body.

The COPAC process, despite its imperfections, needs to complete a final draft document, carry out needed consultations (and party political negotiations) and plan for a referendum itself. The political parties state their commitment to this process, which is linked directly to the major challenges to the elections roadmap.

Even once COPAC produces the draft Constitution, it still must be go before an all-stakeholders conference, approval by the Parliament before being sent for popular vote in a referendum. ZANU-PF has argued in the past that elections could take place even before the Constitution is adopted, a view rejected by MDC parties and by SADC. Recently when the negotiating teams tentatively signed off on the roadmap to elections, it was hoped that it meant that all parties accepted the need for completion of the constitutional reform process as a precondition to elections. However, there still are unresolved issues in the roadmap and the party leaders have yet to sign off.

Monitoring the Roadmap

Significantly, SADC countries are no longer treating Zimbabwe's crisis as an essentially internal one, and increasingly recognise the crisis impacts on regional human security, in particular South Africa. SADC's facilitation process under South Africa's President Jacob Zuma, has become more resolute, since the March 2011 meeting of SADC's Organ Troika on politics, defense and security at Livingstone, Zambia. At Livingstone, the Zimbabwean delegations were rebuked for the slow pace of reform. SADC demanded

the parties "find an uninterrupted path to free and fair elections and the removal of all impediments to the same". This has led to the development of a draft election roadmap that addresses the most important outstanding concerns relating to the GPA, especially in relation to election conditions. Yet even that draft leaves key issues in the air. SADC also agreed to deploy representatives to improve liaison between the JOMIC and SADC facilitation team, with the intention of improving insights into monitoring and implementation aspects of the Agreement.

ZANU-PF reacted negatively to the Livingstone communiqué, which it correctly perceived as a significant change in emphasis by SADC. The MDC groupings, conversely, support SADC's more robust engagement, but remain frustrated that their rhetorical commitment has yet to translate into tangible progress on the ground. Regional leaders also grouse that the MDC has not done enough to engage with them. Six months later, SADC's proposed deployments to JOMIC have not happened, although some groundwork for this has been undertaken and plans include expanding JOMIC at a provincial level—but the critical final accord on the roadmap has yet to occur. A promised meeting in October between President Zuma and the Zimbabwe principals also did not materialise.

Despite the change in direction, there are concerns about the commitment of SADC's 15 members to fully stand behind the March communiqué, leaving South Africa, its facilitator, to do the hard work. At one level, this must be so, as President Zuma is the facilitator, currently serves as chairman of the SADC troika on politics, defense and security with Zambia and Tanzania, and is the critical regional actor. But at another level, President Zuma's ability to succeed in the role of facilitator requires a strong regional consensus and the fulfilment of pledges, such as deploying experts to bolster JOMIC capabilities and also to give SADC more eyes and ears on the ground. Without vigorous accompaniment monitoring and support to the roadmap internal reforms there is a real danger that elections could again be violent and the outcome even more destabilizing.

U.S. Policy: The U.S. should consider:

- Increasing support for South Africa and SADC to press Zimbabwe parties to complete the roadmap as the highest priority and strengthen JOMIC and a robust monitoring and observation presence for SADC and AU in pressing implementation of that roadmap.
- Supporting efforts, through SADC, to strengthen the capacity of the Zimbabwe Electoral Commission, standing behind SADC in its efforts to secure a more professional and balanced ZEC secretariat. One way would be to support enhanced interaction with credible regional electoral commissions through the recently constituted SADC's Electoral Advisory Council.
- Providing, in the future, support for SADC deployment of election monitors into rural areas, perhaps through the SADC Parliamentary Forum and AU peace and Security Council.
- Supporting SADC efforts to promote security sector reform emphasizing the need for a commitment of non interference in the next election process by security forces and respect for the outcome of those elections.
- Supporting development of other institutions called for in the GPA, including the Human Rights Commission, Anti Corruption Commission and Zimbabwe Media Commission.
- Consult with SADC on how and whether a calibrated suspension of sanctions in response to actual reforms could provide SADC and its facilitation team with additional political leverage in terms of achieving key reforms that are vital to permit more a more credible electoral process.

Conclusion

The U.S. has undertaken its policy decisions in Zimbabwe with the intent of promoting democratic change. At this stage in an enormously complex and frustrating process, diplomacy and assistance should be conducted in close coordination with South Africa and SADC and the AU to promote the Zimbabwe reform agenda. A pragmatic approach that supports implementation of the GPA and continued interaction and convergence of the political parties, as well as civil society and state institutions may well be the most effective way for the United States to act to prevent future civil conflict in Zimbabwe. In the most optimistic reading, that approach may help that nation find a path toward a more stable and just future.

Mr. FORTENBERRY. Thank you for your testimony, Mr. Schneider.

If there is no objection, all testimonies will be included in the record today. Hearing none.

Mr. Fagan, we will recognize you now.

I am going to try to expedite the hearing a little bit and put on our time clock here, so that we have ample time to unpack all the issues. So, if you could stay within the 5-minute limit, that would be helpful.

STATEMENT OF MR. PAUL FAGAN, REGIONAL DIRECTOR FOR AFRICA, INTERNATIONAL REPUBLICAN INSTITUTE

Mr. FAGAN. Thank you. Thank you, Mr. Chairman, Ranking Member Payne, and members of the subcommittee. Thank you for the opportunity to testify today.

This is a summary of my statement.

This testimony marks the third time since 2005 that a representative from IRI has come before this committee to talk about Zimbabwe. Looking back on the 6 years, what is striking is that, while much has changed, Zimbabwe's democratic growth and U.S. policy toward it have remained rather static.

This is perhaps due to the fact that Zimbabwe poses a difficult, but unique policy challenge to the United States. The very nature of Zimbabwe's coalition government often shields Mugabe and ZANU–PF from action by the opposition. Further, overt condemnation of Mugabe, his party, and his government for things other than the most egregious of crimes has a potential to backfire. Mugabe has been successful at blaming Zimbabwe's ills on external intervention. Finally, the coalition government has managed to bring just enough stability to Zimbabwe to enable it to be overshadowed by other emergencies on the African continent.

It is time, however, to start paying more attention to Zimbabwe. The imminent constitutional referendum, the national elections, have the potential to graduate the crisis from a steady, but manageable simmer to boiling over.

The merits of Zimbabwe's power-sharing agreement have been debated from the start. On the one hand, the institutionalization of the MDC into government has resulted in some tangible progress for the country, particularly with regard to the economy. On the other hand, power-sharing agreements have become an oft-considered diplomatic tool to put an end to rampant political violence in Africa.

While ending violence is always a worthy and immediate goal, IRI and other democracy organizations rightly become concerned when the will of the people is ignored. Further, the government of national unity can generally be characterized as an unholy marriage of contradicting interests, with the constitutional reform process and the roadmap to national elections currently proving to be the greatest stumbling blocks to the Global Peace Agreement implementation.

The constitutional reform process, while important, has been marred by difficulties from the start. Logistical difficulties and high levels of violence tarnish this opportunity for citizens to engage in the democratic process, leading Prime Minister Tsvangirai to publicly refer to the constitutional reform process as "a circus." A draft

of the revised constitution is now optimistically expected in December, pushing the referendum, originally scheduled for mid-2011, to sometime early next year.

On numerous occasions, the government of national unity partners have looked to quick elections as only an escape from the difficult and often ineffective arrangement that binds them. This July, a SADC facilitation team was able to achieve consensus from all three party partners that elections should be held in late 2012, but President Mugabe made a public statement shortly thereafter declaring his intent to unilaterally call elections for next March.

Assuming that the GPA partners can come to a final agreement on an election date, numerous conditions must also be met for free and fair elections to occur, which have been mentioned here previously, including the institution of an impartial election commission through creation of an accurate voters' roll, the opening of space for independent media, meaningful electoral reform, and, most importantly, an end to tactics of violence and intimidation.

As the U.S. Government reviews its policy for engagement with Zimbabwe, I would encourage the following recommendations to be taken into consideration: One, the U.S. should develop a more robust policy toward Zimbabwe that extends beyond targeted sanctions and involves a higher level of direct engagement with the ongoing crisis. Further, the U.S. must articulate that the only acceptable outcome for Zimbabwe is one reached through a peaceful, free, and fair democratic process.

Two, SADC should be the leading force in resolving the Zimbabwe crisis. Southern African leaders have historically taken a soft position toward Mugabe, but this stance has steadily eroded.

If there is something positive to be taken from the Zimbabwe crisis, it is the extent to which SADC has come to take seriously its role as the guarantor of the GPA, and any action taken by the U.S. should be done in a manner that complements and supports SADC efforts.

Third, it has been long rumored that Mugabe is suffering from poor health and that ZANU–PF is plagued by internal conflict. A post-Mugabe era could spur the ascendency of moderate or hardline factions of ZANU–PF to party leadership positions and government positions. The U.S. should prepare contingency plans for both scenarios, as either would drastically alter the status quo with significant ramifications for U.S. engagement.

Finally, the United States has at its disposal a number of key State Department officials who will prove great assets in the design of a cohesive, comprehensive policy, including Secretary Carson; of course, the U.S. Ambassador to Zimbabwe, Charles Ray; the U.S. Ambassador to Botswana, Michelle Gavin, who is also the United States representative to SADC; Under Secretary Maria Otero, and Assistant Secretary for Democracy, Human Rights, and Labor, Michael Posner. To the greatest extent possible, these and other U.S. key government partners should play a more proactive and integrative role in the design and implementation of U.S. policy toward Zimbabwe.

Thank you, Mr. Chairman. This has been a pleasure.

[The prepared statement of Mr. Fagan follows:]

TESTIMONY OF PAUL FAGAN
DIRECTOR, AFRICA DIVISION
INTERNATIONAL REPUBLICAN INSTITUTE
HOUSE COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
NOVEMBER 2, 2011

Chairman Smith, Ranking Member Payne, and Members of the Subcommittee, thank you for the opportunity to testify today.

Since the early 1990s, the International Republican Institute (IRI) has worked to support pro-democracy activists in their struggle to bring true and lasting democratic reform to Zimbabwe. My testimony today marks the third time since 2005 that a representative from IRI has come before this Committee to discuss Zimbabwe. In looking back on the last six years, what is striking is that while much has changed – the Movement for Democratic Change (MDC) has progressed from an opposition movement born from organized labor to a partner in the current coalition government, with Morgan Tsvangirai as Prime Minister – Zimbabwe's democratic growth and the United States' policy toward it has remained rather static.

Zimbabwe poses a difficult but unique policy challenge to the United States. The very nature of Zimbabwe's coalition government shields President Robert Mugabe and ZANU-PF from any action by the opposition against the Government of National Unity (GNU) as it would reflect negatively on the MDC partners and stifle any progress they are able to make from within the governing coalition. Further, overt condemnation of Mugabe, his party or his government, for things other than the most egregious of crimes, has the potential to backfire; Mugabe has been successful at blaming Zimbabwe's ills on external, particularly Western, intervention. Finally, the coalition government has managed to bring just enough stability to Zimbabwe to enable it to be overshadowed by other emergencies on the African continent. In the last year alone, famine in the Horn, Somali pirates, independence of South Sudan and post-election conflict in Cote d'Ivoire have monopolized U.S. foreign policy initiatives in the region. It is time, however, to start paying more attention to Zimbabwe. The imminent constitutional referendum and national elections have the potential to graduate the crisis in Zimbabwe from a steady but manageable simmer to boiling over. A return to a situation similar to that which followed the first round of the 2008 presidential elections would not only have significant human consequences but would erase any positive political advances made over the last two and a half years.

Background

The Subcommittee is undoubtedly familiar with the deterioration of Zimbabwe under the leadership of Robert Mugabe and his political party ZANU-PF. For our purposes here, discussion will center on the state of Zimbabwe following the March 2008 national elections which resulted in the Movement for Democratic Change winning a parliamentary majority and Morgan Tsvangirai winning 47.9 percent of the presidential vote compared to Mugabe's 43.7 percent. The second round of elections, scheduled for June 2008, prompted a rapid mobilization of state-sponsored violence to a level unseen even in previous Zimbabwe elections. Not only were MDC activists and supporters abducted, tortured and killed, but the regime manipulated the distribution of desperately needed food and humanitarian aid to harass and intimidate ordinary citizens. President Mugabe and his compatriots in the security services made it perfectly clear that *any* result other than Mugabe's reelection would be unacceptable, including prompting more violence by ZANU-PF. On June 22, the MDC and Morgan Tsvangirai announced that they had little choice but to withdraw from the election.

In addition to the political crisis that took hold of Zimbabwe following the March 2008 national elections, Zimbabwe was simultaneously engulfed in an economic crisis characterized by rampant hyperinflation (in 2008 reaching 500 billion percent), high levels of unemployment, severe food shortages and budget shortfalls which caused civil servants to go unpaid and schools and hospitals to close. In the post-election period, the people of Zimbabwe experienced considerable suffering, further exacerbated by the onslaught of a cholera epidemic in August 2008.

In response to an obviously illegitimate election result, the Southern African Development Community (SADC) intervened. Under the guidance of former South African President Thabo Mbeki, the two factions of the MDC and ZANU-PF entered into talks with the aim of forming a unity government. The Global Political Agreement (GPA) was signed on September 15, 2008 and the Government of National Unity (GNU) was subsequently formed with Morgan Tsvangirai sworn in as prime minister on February 11, 2009. Both SADC and the African Union (AU) were made guarantors of the GPA and have the responsibility of overseeing its implementation.

The merits of Zimbabwe's power-sharing agreement have been debated from the start. On the one hand, the institutionalization of MDC into the government has resulted in some tangible progress for Zimbabwe. Under the GPA, MDC-T was allocated responsibility for overseeing Zimbabwe's economic portfolio and placed Tendai Biti in the position of Finance Minister. Shortly after taking office, Tsvangirai and Biti made the rehabilitation of the economy a top priority. Though Zimbabwe still experiences economic woes, inflation has been brought under control, stores once again have products on their shelves and the economy has experienced positive growth since 2009 following ten years of economic decline. In 2011, Zimbabwe's gross domestic product (GDP) grew by 9.3 percent. Participation in the GNU has also provided MDC

with the opportunity to build its capacity to govern and has dispelled critics of the notion that Zimbabwe would be *worse off* under its leadership.

On the other hand, power-sharing agreements seem to have become an oft-considered diplomatic tool to put an end to rampant political violence in Africa; an arrangement similar to Zimbabwe's was also made in Kenya following its disputed 2007 election and was considered in Madagascar in 2009 and Cote d'Ivoire earlier this year. While ending violence is always a worthy and immediate goal, IRI and other democracy advocates rightly become concerned when the will of the people expressed through election results is ignored. Ultimately, Morgan Tsvangirai was the winner of the first round of voting in 2008, and all indications show that he would have won the second round under free and fair election conditions. By facilitating a power-sharing settlement, the AU, SADC and the international community rewarded Mugabe and ZANU-PF for their use of intimidation and violence as a tool to maintain power, arguably setting a dangerous precedent.

Challenges

Despite advances in certain areas, the Government of National Unity (GNU) can generally be characterized as an unholy marriage of contradicting interests. From the outset, ZANU-PF has been unwilling to make the important concessions it agreed to in the GPA. Security sector reform, the failure to appoint MDC representatives to key posts, including provincial governorships and Roy Bennett as deputy minister of agriculture, and media reforms all remain, as do other needed reforms. These remain obstacles to full GPA implementation. At the moment however, the constitutional reform process and establishing a roadmap to credible national elections are arguably the top issues facing Zimbabwe.

Despite being a key component of the GPA, the constitutional reform and referendum process has been marred by significant delays, a lack of resources and high levels of violence and intimidation. In June 2010, the government embarked on a series of public outreach meetings to gather citizen input on the draft of a new constitution. Unfortunately, this opportunity for citizens to engage in the democratic process was marred by logistical failures and high levels of violence and intimidation, perpetrated by ZANU-PF supporters and war veterans. Levels of violence were particularly high in urban areas and those rural areas where MDC enjoys majority support. By October 2010, the climate of insecurity, fear and manipulation surrounding public outreach meetings led Tsvangirai to publically refer to the constitutional reform process as a "circus." Originally expected for mid-2011, the Constitution Select Committee (COPAC) continues to extend the deadline for a constitutional referendum, now optimistically set for December 31, 2011.

On numerous occasions, the GNU partners have looked to quick elections as the only escape from the difficult and often ineffective arrangement that binds them together. Until very recently, Mugabe has insisted that national elections be held in 2011, with or without a revised

constitution or referendum – a situation deemed generally unacceptable to the MDC and SADC. This July, a SADC facilitation team traveled to Zimbabwe and was able to achieve consensus from all three GPA partners that elections should be held in August or September 2012. Shortly thereafter, however, President Mugabe made a public statement declaring his intent to unilaterally call elections for March 2012. During the public celebration of MDC-T's 12th anniversary, Morgan Tsvangirai responded "the date for our next election is going to be defined by a process and not by the whims of any individual who feels they can dream a date and impose it on the people." South African President Jacob Zuma similarly rebuked Mugabe's repeated disregard of a legitimate "roadmap to elections." Assuming the GPA partners can come to a final agreement on an election date, numerous conditions must be met for a free and fair election to occur, including the institution of an impartial Zimbabwe Election Commission, the creation of an accurate voters roll, amendment of the Public Order and Security Act, the opening of space for the independent media, meaningful electoral reform, the facilitation of domestic and international election observers, and most importantly, the end to tactics of violence and intimidation.

SADC plays a crucial role in the Zimbabwe crisis. The Southern African community has historically taken a soft position toward Mugabe, turning a blind eye to human rights abuses and electoral fraud. This stance appeared to change for the first time in March 2011 during its meeting in Livingstone, Zambia when the SADC troika issued a communiqué expressing their dissatisfaction with the GPA progress and concern for the level of state-sponsored violence. The document called for an end to the violence, full implementation of the GPA, agreement on an election road map, and appointment of a SADC Troika delegation to the Joint Monitoring and Implementation Committee (JOMIC) to ensure monitoring, evaluation and implementation of the GPA. Zimbabwean pro-democracy stakeholders have welcomed this change and continue to send their emissaries regionally to make sure this position holds firm. However, SADC's subsequent August meeting in Luanda, Angola was disappointing for its lack of focus on the Zimbabwe issue, calling only for continued implementation of the GPA.

Recommendations

As the U.S. government reviews its policy for engagement with Zimbabwe, I would like to highlight the following:

1) *The United States should develop a more robust policy toward Zimbabwe that extends beyond targeted sanctions.* Sanctions have arguably been successful to an extent in limiting the ability of Mugabe and his close allies to travel and reap the financial benefits of their continued disregard for human rights and rule of law. It is time, however, for the United States to consider a policy toward Zimbabwe that involves a higher level of direct engagement with the ongoing crisis. A key part of such a policy is an increased level of

support to pro-democracy activists operating within Zimbabwe despite being targeted for arbitrary arrest, intimidation and physical harm by ZANU-PF operatives.

2) *The Southern African Development Community (SADC) should be the leading force in resolving the Zimbabwe crisis.* South Africa and others have long argued that the Zimbabwe crisis is an African problem requiring an African solution. If there is something positive to be taken from the Zimbabwe crisis, it is the extent to which SADC has come to take seriously its role as guarantor of the GPA. As recent events have attested, SADC is becoming increasingly impatient with ZANU-PF and its failure to cooperate and has begun to exert higher levels of pressure on GPA partners to finalize and comply with a road-map to elections. Given this, any action taken by the United States toward Zimbabwe should be done in a manner that complement and support SADC efforts.

3) *The United States should make clear what it views as an acceptable outcome of the referendum and election process.* There exists a high level of risk associated with the movement toward a constitutional referendum and national elections. Understanding that a peaceful, free and fair election will most likely result in a victory for MDC, ZANU-PF has a vested interest in preventing such an outcome. Politically motivated violence is already on the rise in Zimbabwe, targeting pro-democracy activists and could reach levels in excess of that experienced in 2008. The United States and the international community must articulate the utmost support for a free and fair democratic process in Zimbabwe, absent a campaign of intimidation and violence. Further, the United States must also develop a policy toward Zimbabwe based on the understanding that a follow-on negotiated power-sharing settlement to the GPA is not acceptable.

4) *The United States should be prepared for numerous scenarios in a possible post-Mugabe era.* It has long been rumored that Mugabe is suffering from poor health and that ZANU-PF is plagued by internal conflict. A post-Mugabe era could spur the ascendency of moderate factions of ZANU-PF to party leadership positions, potentially providing an opportunity for a negotiated settlement that would facilitate a democratic electoral process. Taking a more negative view, a post-Mugabe era could conversely result in the emergence of ZANU-PF hardliners with an interest in attaining absolute power in Zimbabwe. The United States should prepare contingency plans for both scenarios as either would drastically alter the status quo in Zimbabwe, with significant ramifications for U.S. engagement in Zimbabwe.

5) *The United States should engage in an integrated diplomatic approach to Zimbabwe.* The United States has at its disposal a number of key State Department officials who will prove a great asset in the design of a cohesive and comprehensive policy toward

Zimbabwe, including U.S. Ambassador to Zimbabwe, Charles Ray; U.S. Ambassador to Botswana and U.S. Representative to SADC, Michelle Gavin; Undersecretary of State for Democracy and Global Affairs, Maria Otero; Assistant Secretary of State for the Bureau of African Affairs, Johnnie Carson; and Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor, Michael Posner. To the greatest extent possible, these and other key U.S. government partners should play a more proactive and collective role in the implementation of U.S. policy toward Zimbabwe, including engagement with other interested governments and actors in the larger international community.

Mr. FORTENBERRY. Thank you, Mr. Fagan.
Mr. Mavhinga?

STATEMENT OF MR. DEWA MAVHINGA, REGIONAL COORDINATOR, CRISIS IN ZIMBABWE COALITION

Mr. MAVHINGA. Thank you, Mr. Chairman and members of the committee. It is a singular honor for me to address this distinguished committee to give testimony on the U.S. policy toward Zimbabwe. I wish to thank you profoundly for taking time to reflect on the initiatives to support the people of Zimbabwe.

My work as regional coordinator for Crisis in Zimbabwe Coalition, a grouping of civil society organizations that are working to help create a genuinely free and democratic Zimbabwe, keeps me in touch with the ongoing efforts to resolve the governance crisis in my country.

Since the signing of the Global Political Agreement, the GPA, in September 2008, which created the inclusive government between the former ruling party ZANU–PF and the two factions of the MDC, some progress has been made to reverse the country's catastrophic economic decline and restore normalcy to people's lives. But several critical steps remain to be taken by both Zimbabwe and the members of the international community, including the U.S. Government, to guarantee sustainable peace and development.

Mr. Chairman, largely due to President Robert Mugabe and ZANU–PF party's unwillingness to institute fundamental reforms, Zimbabwe has failed to restore the rule of law, to ensure that the next elections are free and fair, and to provide justice for victims of abuses or to bring the perpetrators of those abuses, particularly the horrific electoral violence of 2008, to account and to create a viable roadmap that will pave the way toward a genuine transition to a free, democratic, and open society.

But for the following reasons, among others, Zimbabwe is not ready to hold democratic elections: Key state institutions, particularly those responsible for the administration of elections, remain unreformed and partisan toward ZANU–PF. Although the inclusive government has appointed a new Zimbabwe Electoral Commission, its secretariat has not been reviewed to ensure independence and non-partisanship in the discharge of its mandate.

Zimbabwe's voters' roll cannot be used for elections, as it remains outdated and largely inaccurate. A survey released earlier this year estimated that a third of the voters on the roll were dead.

Senior leaders within the security sector continue to publicly, and unconstitutionally, proclaim partisanship toward ZANU–PF. For instance, on 27 May 2011, Brigadier General Douglas Nyikayaramba of the Zimbabwe National Army told a weekly paper that the military wants elections held in 2011, which will be won by ZANU–PF, adding that, "Truly speaking, I am in ZANU–PF and ZANU–PF is in me and you cannot change that."

Uniformed members of the security forces have also been implicated in perpetrating violence against perceived ZANU–PF opponents and in directly campaigning for ZANU–PF. The security sector played a key role in preventing the MDC, which clearly won the 2008 elections, from taking power, and there is little likelihood of

a genuine and peaceful transition without the transformation of the security sector.

While the government has lifted restrictions on print media, it has maintained tight control over ZANU–PF-aligned and state-owned radio and television stations. There are no private radio or television stations operating in Zimbabwe.

The constitutional reform exercise is yet to be finalized. Some progress has been made in the area of drafting a new constitution under the GPA, but the constitutional review process is over a year behind and is taking place under difficult circumstances of extreme polarization, conflict, intolerance, and inadequate funding. There is the expectation that, now with legal drafters in place, there should be a national referendum for the constitution by March 2012. We demand that there be a new constitution in place before Zimbabwe can be ready to hold fresh elections that are credible, free, and fair, and where violence and intimidation play no part.

Our regional bloc, SADC, has made a significant policy shift on Zimbabwe. Driven largely by its mediator, South Africa, SADC has condemned violence and intimidation in its resolution in March 2011. SADC has also rejected ZANU–PF's push for elections in 2011 and has insisted on the full implementation of the GPA. SADC urged its Troika organ on defense, politics, and security to deploy representatives to participate in the monitoring of the implementation of the GPA and the election roadmap.

The inclusive government has managed to restore a measure of stability to our economy by scrapping our local currency in favor of a multi-currency system driven by the U.S. dollar. Our agriculture and local industries are performing way below capacity, and for the ordinary Zimbabwean, life continues to be a huge struggle with unemployment. Well over 90 percent and at least 70 percent of our population lives on less than $1 per day.

While there is economic growth that has been witnessed over the past few years, this economic gain is unsustainable if there is no solid political foundation. And the debate around the indigenization bill that seeks to take over 51 percent of shares from foreign-owned companies raises serious concerns and undermines possibilities for foreign direct investment.

Most of the revenue from diamonds, which could play a pivotal role in boosting the state spending on key social sectors and supporting overall economic development, has largely bypassed the formal government structures controlled by Finance Minister Tendai Biti of the MDC. Lack of transparency and accountability for the vast diamond revenue raises serious risk that the money could be used to finance a violent election, if one is called prematurely in the absence of mechanisms to prevent state-sponsored violence.

I wish to thank the U.S. Government for its humanitarian support to the people of Zimbabwe and support to civil society groups, and I wish to submit the following recommendations for your consideration: The U.S. Government should actively encourage and support the emerging SADC consensus on Zimbabwe relating to the need to establish a legitimate government through genuinely free and fair elections that are preceded by a new constitution and other necessary reforms.

The U.S. Congress should avoid any legislative initiatives on Zimbabwe at the moment, including repealing ZDERA, the Zimbabwe Democracy and Economic Recovery Act, or targeted sanctions, until after genuinely democratic elections have ushered in a legitimate government reflective of our people's wishes.

The people of Zimbabwe have benefitted greatly from the support rendered by the American people to civil society groups working in the fields of democracy and governance. We understand that support is being cut. I would urge the U.S. Government not only to reverse those cuts that are threatening to undermine the work of critical organizations, but also to consider increasing support to democracy and governance work through USAID at this vital stage in our transition. The key areas of work include: Finalizing the constitution review process; instituting and promoting electoral reforms; protecting human rights defenders; promoting human rights education and advocacy, and long-term monitoring and observation of elections.

The U.S. Government should support the United Nations' deployment of a human rights advisor based in Zimbabwe and long-term deployment of election observers in order to prevent state-sponsored violence and intimidation.

Issues of transparency and accountability and the rule of law must be included in a prudent Kimberley Process mandate and must be used to assess the entire diamond production chain from the negotiation and signing of contracts to production, tax payment, and revenue management. The Kimberley Process mandate should be expanded to involve the monitoring and oversight of the investment and the disposition of revenues and from resource extraction.

Thank you so much for this opportunity to address you. I welcome questions. Thank you.

[The prepared statement of Mr. Mavhinga follows:]

STATEMENT OF
MR. DEWA MAVHINGA
REGIONAL INFORMATION AND ADVOCACY COORDINATOR: CRISIS IN ZIMBABWE COALITION

Before the

HOUSE COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH AND HUMAN RIGHTS
"US POLICY TOWARD ZIMBABWE"
WASHINGTON DC, WEDNESDAY 02 NOVEMBER 2011

Mr. Chairman and members of the committee, I request that the entirety of my statement, along with additional material, be submitted for the record.

Mr. Chairman and Members of the Committee, representatives of various stakeholders, it is a singular honor for me to appear before this distinguished sub-committee to give a testimony on **"US Policy Toward Zimbabwe."** I wish to thank you profoundly for taking time to reflect on initiatives to support the people of Zimbabwe.

My work as Regional Information and Advocacy Coordinator for Crisis in Zimbabwe Coalition – a grouping of civil society organizations that are working to help create a genuinely free and democratic Zimbabwe – keeps me in touch with ongoing efforts to resolve the governance crisis in our country. My testimony before this esteemed sub-committee is driven by a deep desire – shared by many of my compatriots – to build a society that is free of violence, fear and intimidation and founded on justice, fairness and equality.

Since the signing of the Global Political Agreement (GPA) in September 2008 – which created the legal basis for the establishment five months later of the Inclusive Government between the former ruling party ZANU-PF and the two factions of the opposition MDC – some progress has been made to reverse the country's catastrophic economic decline and restore normalcy to people's lives. But several critical steps remain to be taken both within Zimbabwe and by members of the international community, including the US government, to guarantee sustainable peace and development.

Current Position

Mr. Chairman, largely due to president Robert Mugabe and his ZANU-PF party's unwillingness to institute fundamental reforms, Zimbabwe's Inclusive Government has failed so far to restore the rule of law, to ensure that the next elections will be free and fair, to provide justice for victims of abuses or to bring the perpetrators of those abuses, particularly the horrific electoral violence of 2008, to account and to create a viable roadmap that will pave the way towards a genuine transition to a free, democratic and open society. ZANU-PF retains control of all senior ministries – including the ministries of foreign affairs, defense, state security, justice, and it co-chairs the home affairs ministry – and retains the absolute and vocal support of the heads of the security services. However, the fact that the shaky inclusive government has not collapsed altogether is a source of hope. There has also been a marked improvement in the economy, which is expected to grow robustly again this year – for the third year in a row after almost a decade of precipitous decline. And while the reform process is painfully slow and piecemeal, pro-democracy forces continue to painstakingly chip away at the remnants of the old regime.

Fortunately, ZANU-PF was unable to force elections in 2011 thanks to a concerted campaign both inside and outside Zimbabwe, which called for key reforms to be instituted before the country could possibly go to the polls. President Mugabe and ZANU-PF are now ratcheting up the rhetoric again and talking about holding elections in 2012.

But for the following reasons, among others, Zimbabwe is still not ready to hold democratic elections:

1. Key state institutions, particularly those responsible for the administration of elections, remain unreformed and partisan towards ZANU-PF. Although the Inclusive Government has appointed a new Zimbabwe Electoral Commission, its secretariat has not been reviewed to ensure independence and non-partisanship in the discharge of its mandate.

2. Zimbabwe's voters' roll cannot be used for elections as it remains outdated and largely inaccurate. A survey released earlier this year estimated that 1/3rd of the voters on the roll were dead.
3. Senior leaders within the security sector continue to publicly – and unconstitutionally – proclaim partisanship towards ZANU-PF. For instance, on 27 May 2011, Brigadier-General Douglas Nyikayaramba of the Zimbabwe National Army told a weekly paper that the military wants elections held in 2011 which will be won by ZANU-PF adding, *"Truly speaking, I am in ZANU-PF and ZANU-PF is in me and you can't change that."* Uniformed members of the security forces have also been implicated in perpetrating violence against perceived ZANU-PF opponents and in directly campaigning for ZANU-PF. The security sector played a key role in preventing the MDC – which clearly won the 2008 elections – from taking power and there is little likelihood of a genuine and peaceful transition without transformation of the security sector.
4. While government has lifted restrictions on print media, it has maintained tight control over ZANU-PF aligned and state-owned radio and television stations. There are no private radio or television stations operating in Zimbabwe.
5. The constitutional reform exercise is yet to be finalized.

Mr. Chairman, some progress has been made in the area of crafting a new constitution as agreed under the GPA. The constitutional review process, over a year behind schedule, is taking place under difficult conditions characterized by extreme polarization, conflict, intolerance and inadequate funding. The Constitution Parliamentary Select Committee (COPAC) tasked with leading the review process indicates that, following the gathering of views across the country, a team of legal drafters has now been set up to development a constitutional draft for debate in parliament before being subjected to a national referendum possibly by March 2012. A new constitution must be in place before Zimbabwe can be ready to hold fresh elections that are credible, free and fair and where violence and intimidation play no part.

Mr. Chairman, my assessment is that ours will be a constitution by compromise – political parties will agree on the framework and content before submitting the draft to referendum as a fait accompli. While this might undermine the credibility of the constitution in the eyes of many citizens, a genuine debate in parliament followed by a free and fair referendum will at least provide a more level playing field for the elections to come – and for our future development.

Mr. Chairman, our regional bloc – the Southern African Development Community (SADC) - has made a significant policy shift towards Zimbabwe. Driven largely by its mediator for Zimbabwe, President Jacob Zuma of South Africa, SADC openly condemned violence and intimidation in the resolution of its Troika of the Organ of Politics, Defense and Security Cooperation of 31 March 2011 made in Livingstone, Zambia. SADC further rejected ZANU-PF's push for elections to be held in 2011, insisting on full implementation of the GPA. SADC further urged its Troika to appoint a team of representatives to participate in the monitoring of the implementation of the GPA and the election roadmap. It is important that the international community actively supports the emerging consensus on Zimbabwe within SADC and works to build a similar international consensus around the positive steps needed to restore Zimbabwe to full democracy.

Key Challenges

Mr. Chairman, the key challenges confronting Zimbabwe today include the fractured state of ZANU-PF, a party that, under Mugabe, controls the security sector. President Mugabe turns 88 next February and there are growing concerns about his health – concerns compounded by the fact that Mugabe has no clear succession plan within his party. Should anything happen to Mugabe, the risk of chaos and civil arrest that could spread to the region is very high as there is no other leader within his party who could keep the various factions together. Instituting democratic reforms becomes urgent in order to completely separate ZANU-PF from the security sector and to remove the security sector from interfering in the country's political and electoral affairs.

The Inclusive Government is barely functional, leading to the existence of parallel structures of governance operating outside the GPA framework – particularly the infrastructure of violence aligned to ZANU-PF, which includes self-styled war veterans, ZANU-PF militia like the Mbare-based *Chipangano,* and elements within the security establishment. Parallel structures also exist in the management of diamond revenue from the massive Marange fields. Most of the revenue from the diamonds, which could play a pivotal role in boosting state spending on key social sectors and on supporting overall economic development, has largely by-passed formal government structures controlled by finance minister Tendai Biti of the MDC. Lack of transparency and accountability for the

vast diamond revenue raises the serious risk that the money could be used to finance a violent election if one is called prematurely in the absence of mechanisms to prevent state-sponsored violence and intimidation.

Mr. Chairman, there is a genuine fear among many Zimbabweans that come the next elections, forms of violence and intimidation may be subliminal and covert rather than overt as was the case in 2008. It will be a case of 'rattling the matchbox' by an arsonist as a reminder to arson victims that one stands ready to start another fire. This kind of psychological violence based on threats of a repeat of the past is more difficult to observe and would require close monitoring over an extended period of time by both local and international election observers.

Mr. Chairman, the inclusive government has managed to restore a measure of stability to our economy riding on the back of the relative stability afforded by the GPA and the scrapping of our local currency in favor of a multi-currency system dominated by the US dollar. Our agriculture and local industries are performing way below capacity, and we largely rely on imported goods and food stuffs, mainly from South Africa. For the ordinary Zimbabwean, life continues to be a huge struggle with unemployment in the region of 90% and at least 70% of the population living below the poverty datum line. So while we can point to economic growth in the past few years, these economic gains are unsustainable without a solid political foundation. In addition, the debate over the Indigenization bill – where foreign companies must sell at least 51% of their shares to 'indigenous' Zimbabweans – is also causing serious concern and undermining hopes for an increase in foreign direct investment.

Mr. Chairman, Zimbabwe continues to be plagued by very weak state institutions manned by strong party cadres loyal to the old regime. Reforms must therefore necessarily go beyond normative or framework reforms to look at the personnel responsible for taking the country into the future. In most cases the challenge is not the absence of clear rules or laws, but a total disregard of those laws that is done with impunity. Our laws are clear that perpetrators of criminal acts must be held accountable, but the political leadership of the police and the prosecuting authority neglect to discharge their constitutional mandate. The Defense Forces Act and the Constitution strictly prohibit military officials from being partisan but the practice is that senior military officials routinely make reckless political statements that undermine democracy. Those loyal to the old regime often point to the existence of the normative and hollow instititutional framework as evidence of good practice. For instance, on 10 October 2011, justice minister Patrick Chinamasa (ZANU-PF) told the UN Human Rights Council in Geneva that Zimbabwe is 'desirous of promoting and upholding human rights for all,' and proceeded to point to a litany of laws as evidence. Practice on the ground is very different though.

Recommendations to the US Government

Mr. Chairman, I wish to thank the US Government for its humanitarian support to the people of Zimbabwe and support to civil society groups working in the area of democracy, good governance and human rights. The US Government has a critical role to play in the coming months since Zimbabwe will only make progress towards a democratic transition if the international community – and particularly the US – remains genuinely engaged.

I wish to submit the following five recommendations for your consideration:

1. The US government should actively support the emerging SADC consensus on Zimbabwe relating to the need to establish a legitimate government through genuinely free and fair elections that are preceded by a new constitution and other necessary reforms to create an environment conducive to free political activity.
2. The US government should lead in building international consensus on Zimbabwe that supports the SADC consensus and insists that Zimbabwe's next elections must comply with minimum SADC and international standards governing the conduct of democratic elections and transfer of power.
3. The US Congress should avoid any legislative initiatives on Zimbabwe – including repealing ZDERA or targeted sanctions – until after genuinely democratic elections have ushered in a legitimate government reflective of our people's wishes.
4. The people of Zimbabwe have benefited greatly from the support rendered by the American people to civil society groups working in the fields of democracy and governance. Zimbabwe

is at the crossroads and needs that support more than at any other point in the life of our nation – but that critical support is being cut back. I urge the US government to not only reverse the cuts that are threatening to undermine the work of many critical organizations – for example the Mass Public Opinion Institute is now struggling to survive – but also consider increasing support for democracy and governance work through USAID at this vital stage in our transition. Key areas of work include (1) finalizing the constitutional review process, (2) instituting and promoting electoral reforms, and (3) long term monitoring and observation of elections.

5. The US government should support the United Nations' deployment of a Human Rights Advisor based in Zimbabwe and the long term deployment of election observers to help prevent state-sponsored violence and intimidation.

Thank You

DEWA MAVHINGA

Mr. FORTENBERRY. Thank you, Mr. Mavhinga.

Let me go to you first, and along with Mr. Fagan, because I want to reconcile statements that each of you made, if that is possible.

Mr. Fagan, you alluded to the fact that regional leaders have taken a soft position on Mugabe. And yet, Mr. Mavhinga, you spoke of an emerging southern consensus for a legitimate electoral process. I would like to understand that dynamic.

Mr. MAVHINGA. Thank you, Mr. Chairman.

Our understanding is that over the years, particularly if we look at the role of South Africa from President Mbeki's era where there was focus on building consensus among the political parties in Zimbabwe, and certainly within SADC, to the current arrangement for Zimbabwe, President Zuma is actively pushing for Zimbabwe to comply with electoral demands. It is due to the work of SADC and other additional players that ZANU–PF's push for elections this year was defeated. So, for us, it is significant that SADC is now making the right kind of noises to stop elections in Zimbabwe and to insist on benchmarks before elections can be held, which include a new constitution.

Mr. FORTENBERRY. Do you care to comment on this, Mr. Fagan?

Mr. FAGAN. Sure. I think I agree. I think in the past what we saw, especially with President Mbeki, was this soft diplomacy that was characterized throughout his presidency, and it didn't have much impact on the crisis in Zimbabwe. Now we see, I would say, a much more dramatic change in what President——

Mr. FORTENBERRY. So, these aren't irreconcilable positions? It is just a changing dynamic on a timeline?

Mr. FAGAN. I believe so, yes.

Mr. FORTENBERRY. Okay. Let me ask all of you a hard question because it is a question that the Representatives here have to constantly answer, and it is an important question that many Americans ask. Why should we be involved here? Now I will give a partial answer to it, but I would like to also hear yours.

It is, first of all, very difficult for Americans to sit idly by while other people are being repressed or even killed or they are rendered hopeless because of their political situation. We have a great deal of heart in this country and a great deal of generosity for the cries of humanity. Second is we also like to benefit from mutual exchange, whether that is cultural or trade. And third is it is for our own national security interest. Those combinations of converging factors generally create the dynamic in which we have an active foreign policy.

But I think it is important for you all to answer that question in the context of this specific country, where, using the Ambassador's language, our relationship has been so episodic with its ups and downs.

Mr. Schneider, do you want to try that?

Mr. SCHNEIDER. I will be happy to, but I will say, Mr. Chairman, that you gave a fairly good framework there for the response. But I think that it is not simply Zimbabwe. It is southern Africa, and that what happens in Zimbabwe, whether they succeed in moving toward political stability, a democratic process, and restoring what was a very dynamic economy, will affect the future of the entire re-

gion. There you are talking about a region that really does have not just significant economic but political security issues.

To be frank, over the course of several decades, it is clear the United States is simply unable, nor should it, to remain unaffected when it sees an entire region, essentially, under threat, vulnerable, and possibly vulnerable to involvement by criminal or other organizations that do pose threats to the region as a whole and to this country.

But I think the fundamental reason is the one you said earlier. If we have an opportunity to assist countries in moving in the right direction, it is important to do so. And, clearly, we do in this case.

Second, the opportunity for Zimbabwe and southern Africa to increase their prosperity is very clear. If this moves in the right direction, Zimbabwe should be able to move back on a steadily-progressive slope to restore its economy. Remember, its economy declined 50 percent. GDP in Zimbabwe declined 50 percent since 1998.

And so, what you want to do is to see what you can do to help move that in the right direction. As you said, there is a security issue, and it is not just focused on Zimbabwe; it is focused on Southern Africa as a whole.

Mr. FORTENBERRY. Thank you.

Mr. Fagan?

Mr. FAGAN. Sir, I think that is a very difficult question to answer. I have an emotional attachment to Zimbabwe, so I might have a different response personally than I do maybe, you know, if you are coming from the American public side.

I would probably just point to the fact that Zimbabwe is not maybe as strategically as important to American security interest as maybe Nigeria, Angola, because of oil issues and other natural resources. It might not be as important as Somalia with the issue of terrorism and Al-Shabaab, and how it really does pose a security risk to the United States.

But I would liken it to the situation of Rwanda of 1994. Did the United States have as much of a security interest in Rwanda? But what did we deal with in the aftermath? Almost 1 million people died in a very short period of time.

In Zimbabwe, we have a similar situation where a crisis has occurred over the past decade. I don't think you will see a country on the continent that has changed so dramatically without an actual conflict. There hasn't been war. There has been obviously constant violence and intimidation on behalf of ZANU–PF.

But, as the United States, I believe we are a leader in the area of promoting democracy on these issues, and we can't stand idly by just because Zimbabwe poses less of a security interest than, say, Angola, Nigeria, Somalia, and Kenya. But I would agree with Mr. Schneider it is a regional issue. If you continue to let Zimbabwe deteriorate, it has had a major implication on the economy of South Africa, if you look at their own unemployment numbers. There has been a dramatic backlash against Zimbabweans and other nationalities in South Africa. It poses a huge economic problem for Botswana and Mozambique, Zambia. So, economically, it poses——

Mr. FORTENBERRY. Well, this is a tough situation because, clearly, it is coming out of a difficult post-colonial period in which things

clearly had to change and put itself on a trajectory to potentially be a strong country. And yet, these self-inflicted wounds by the political leadership and the irrationality, it is simply hard to understand, basically creating implosion internally simply to hold onto power, or for whatever is the irrational motive that is going on there. It is very hard to understand.

But I appreciate your insight, your answer.

Mr. Mavhinga, do you live in Zimbabwe?

Mr. MAVHINGA. Yes, Mr. Chairman, but I work out of South Africa.

Mr. FORTENBERRY. Yes.

Mr. MAVHINGA. Only last week I was in——

Mr. FORTENBERRY. So, what are conditions like for you? Are you free to speak in this way at home as you are to us? And thank you for your courage in doing so.

Mr. MAVHINGA. Thank you, Mr. Chairman.

Conditions are very difficult. We are living under serious difficulties economically. But perhaps to answer your first question, we believe in terms of the defense of values of human rights, good democracy values, that there isn't enough for us to appeal to the U.S. Government to support the promotion of strong democratic institutions.

Mr. FORTENBERRY. I find it very interesting, and I thank you for saying that. Again, when we are answering the hard question before the American people as to why we should put resources into any particular area, based upon the criteria which I laid out, the humanitarian cause, the opportunity for benefits of mutual exchange, or national security concerns, I am constantly amazed, and frankly refreshed, by the fact that so many other people who are struggling for the types of stability and liberties that we enjoy here, even though the United States' reputation seems to be deteriorated internationally, yet there is a constant turning to us because of the fundamentals that are in place here and the ideals that we invest in, both philosophically and culturally; namely, that each person has inherent dignity and, therefore, rights. And that becomes a model for the proper use of authority in our country.

So, you are asking the hard question, "Please continue to support us," but I think in doing so it compliments who we are. I don't mean to project on you what you are thinking, but I assume shaking your head means yes.

Yes, thank you very much.

Mr. Payne?

Mr. PAYNE. Thank you very much, and thank you for coming all the way here to our hearing. We appreciate you, Mr. Mavhinga, for the work that you do and the struggle that you continue.

Let me just maybe ask, and any of the panelists can certainly answer, do you think that the SADC troika now is really serious, and do you think that they will make a real difference? Anyone can answer.

Mr. SCHNEIDER. I think the honest answer is that we hope so. In recent discussions, as I said, since March, they have issued the first public critique of the failure of the political party leaders to move forward.

Second, at the last meeting of SADC, they took this draft roadmap that had been negotiated supposedly in July and they went through it. It is our hope that they will, in fact, do some things like send staff to support the joint monitoring effort, send staff from SADC into Zimbabwe to help with the electoral machinery, and send staff in to set up very early, 6 months at least before the election, a nationwide observation process to support the national one. But it is crucial for SADC to be on the ground throughout Zimbabwe if there is to be any hope for this process to work successfully.

Mr. MAVHINGA. Thank you for that. There is hope to believe that SADC is now much more focused and is clear about the challenges in Zimbabwe which relate to the central question of legitimacy of the state in that they have insisted on the need to have elections that meet SADC minimum conditions governing democratic elections. So, SADC is onsite.

What we hope will happen is that the international community, including the U.S. Government, would then rally around the emerging consensus within SADC to support that move and to support mechanisms for free and fair elections.

Mr. PAYNE. Right. I think that we want to be helpful. However, in many instances if the U.S. gets involved in front of the movement, then the people in power then use that as saying the U.S. is trying to dominate, sort of like we did in Libya. We let the Europeans take the lead, and then we were in a supportive role. Hopefully, we will be able to do that with SADC taking the leadership, but we could have the technical assistance, be in the background, have the financial resources that are important.

I wonder, Mr. Mavhinga, how am I doing with your name? Pretty good or fair? Okay, you know who I am talking about, right? Okay.

What do you think the hard-liners, do you think that Mr. Mugabe is partly a prisoner, people wanting him to stay because, if he leaves, some of the bad fellows feel that they have no more protection? I have heard that argument.

And about the women there, are the WOZA women, who have been so strong by approaching military people with flowers as they are beaten sometimes by the police and by the military authorities, is their movement still moving forward?

Finally, how is the teachers' union holding up? Are they showing any resistance to Mr. Mugabe and his government?

Mr. MAVHINGA. Thank you for that. On the question of hard-liners or whether President Mugabe is a prisoner, my considered view is that it is a complex situation, but President Mugabe is not certainly a prisoner, but perhaps he is prisoner of the circumstance of his own making, in the sense that he left ZANU–PF too late to make arrangements for legal transition and leadership renewal within his party and in government. So that now creates complications for him in terms of controlling the various factions within his party.

Certainly, there are those within his inner circle around him from the military who fear prosecution, but not only that, they also wish to defend their economic interests. President Mugabe has had in place an elaborate system of patronage that has benefitted those around him. So, they need to keep that arrangement going, and

this is one of the reasons why they would want to fight off any succession or to insist that President Mugabe should continue to be their Presidential election candidate next year, when he turns 88.

In terms of WOZA, the Women of Zimbabwe Arise, movement going forward, the challenge that we have in Zimbabwe is that of a de facto military state in terms of the control of balance on the population and the use of fear. So, there is a lot of repression coming from sections of the military and the police that blocks the movement by WOZA and other civic groups to rally and demand change. The same applies with the teachers' union and resistance from other quarters within the civic.

We are trying very much, but, as we have heard in the last few days, even yesterday, the sections of the police loyal to President Mugabe continue to unleash violence on civilians, continue to unleash violence on civil society actors. So, these are the circumstances within which we are operating at the moment.

Mr. PAYNE. I know that it is a tough question. I don't want to get you in the middle of politics, but I think when Prime Minister Morgan Tsvangirai started MDC, he started with the local elections. They won overwhelmingly. There was so much support for MDC. Somehow it seems that his focus became lessened and MDC split off a little bit, and he sort of seemed to have lost some of the luster.

Do you feel that Mr. Tsvangirai, the Prime Minister, still has that zeal that began or is there another candidate that could possibly topple Mr. Mugabe?

Mr. MAVHINGA. I believe that Prime Minister Morgan Tsvangirai and the MDC have got truly a number of challenges over the last decade that they have been in existence and in political leadership of the opposition. Perhaps there were challenges around the decision to go into the inclusive government and the politics of appeasement, an approach that perhaps Prime Minister Tsvangirai took in the hope that to appease Mugabe would be to draw concessions out of him.

This has not worked. The hard-liners and those around President Mugabe insisted that there would be no reforms. So, although we have the commitments on paper in terms of the Global Political Agreement, those reforms have not come into being. So, that has weakened the position of Prime Minister Tsvangirai and the MDC.

But I am convinced that if we have a conducive environment, free and fair elections, and free political activity, then Prime Minister Tsvangirai will win the election overwhelmingly and will be able to deliver change. The challenge that is there is the continued control of the political and the electoral space by the military or the captains of the military who are loyal to President Mugabe and who are openly partisan to ZANU–PF.

Mr. PAYNE. Okay. My time has expired. But, as you may or may not know, I was able to get a meeting with President Mugabe about 2 years ago, being the first American to really get him to meet.

Of course, I had been in Rhodesia way back, and I, of course, knew about his—I was there when the Rhodesia military was out hunting down ZANU and ZAPU Freedom Fighters. And so, he was aware of that, and I had been an admirer of him and Joshua

Nkomo for many years during the day of the struggle, which he knew, and I did relate after he talked a long time about the persecution of the West and how they were mistreating them.

But in the last several-hour meeting, I did get an opportunity to talk about the legacy they left, the education that they had done, the struggle that he had won, the fact that they led the way even for South Africa to defeat, when they defeated Ian Smith, that P.W. Botha's regime came down, and that they supported the arms struggle in South Africa; and that all of this is being lost on these years when you are having your officers beat women; you have judges who are giving decisions; you have people in your security force who torture. And how could you go from being such a revered leader to me as a young person, when he was in such leadership, to the position where he would allow these things to occur? And we really did have a frank discussion.

But it is unfortunate that he has allowed himself to deteriorate to the point, and all that legacy of—as you know, the education of the Zimbabweans surpassed anyone in Africa, sub-Saharan Africa. As a matter of fact, it was part of a xenophobia problem in South Africa because of that situation of highly-educated Zimbabweans in South Africa, and their feeling they had taken their jobs, and so forth.

So, I hope that one day he might once again just see the light and remember those days and come back to sanity.

But thank you so much for coming.

Thank you, Mr. Chairman.

Mr. FORTENBERRY. Thank you, Mr. Payne.

Mr. Turner of New York?

Mr. TURNER. Thank you, Mr. Chairman.

I would like to think the United States is trying to help promote democracy, prosperity, the rule of law. To that end, next year there is a requested appropriation for over $100 million in non-humanitarian aid.

In your opinion—and I can ask this collectively—will this be helping prop up a basically criminal regime? Are we working against our own purposes? And if we are to do this, are there recommended checks we can do, so that we are not working against ourselves or against the people of Zimbabwe?

Mr. SCHNEIDER. Thank you very much for the question. Actually, I think that when you look in detail at the kinds of programs, virtually none of the programs are going through the government. Most of the programs are going to non-governmental organizations and civil society organizations. There is a lot of focus on the human rights activist organizations. There is an effort to strengthen the capacity of micro-enterprise and small business.

So, I think to some degree what they are trying to do through this program is to provide the building blocks ultimately of democracy. So that, if the political leadership moves in the direction that it should, that this kind of program can support civil society and activists participating in the next stage in Zimbabwe's development.

Also, they are primed, as I understand it, to work to strengthen the technical capacities of the Election Commission once they make the right decisions.

Mr. TURNER. Thank you.

Mr. FAGAN. I would go a step further and say I am not sure exactly what that money is going to be used for. But in the past, I would say a lot of the groups have benefitted from the U.S. support to democratic activists, whether they——

Mr. SCHNEIDER. Is your microphone on?

Mr. FAGAN. I think it is. Sorry, I was stepping away.

So, I don't think the funding that has gone to and will go toward Zimbabwean activists helps support the regime. I think it helps support democratic activists, keeping the space open, whereby if the United States didn't support these activists and organizations, you would see a much smaller democracy movement. You would see a much less vibrant opposition.

I think it remains critical that the United States remain engaged in this way. I think we have done a fairly decent job in the past, but it is a difficult situation. It is a difficult country to operate in. So, the support is necessary and very helpful. It doesn't go to support, I would say, ZANU–PF and the regime.

Mr. MAVHINGA. Thank you. I would want to agree, yes, that the support has likely benefitted civil society groupings, and that in terms of supporting reforms, under the framework of the Global Political Agreement, there is a fairly accountable and transparent mechanism that is controlled by the Finance Minister, Tendai Biti, who is from the MDC, who has done a lot to clean up the system. Much of the support bypasses the central bank of Zimbabwe, where the leadership has politically been aligned to ZANU–PF and to President Mugabe.

So, there are mechanisms that are in place to ensure accountability and transparency, and to prevent the money falling into the wrong hands. So, the support is appreciated. We believe that during this transitional period we really need to increase support to civil society groups and to supporting reforms in the area of electoral reforms, constitutional reforms, and also to support initiatives and a multilateral fund through the United Nations' arrangements to support what is happening in Zimbabwe toward democratic transition.

Mr. TURNER. Thank you.

Mr. FORTENBERRY. Yield back?

Mr. TURNER. I yield back.

Mr. FORTENBERRY. The gentleman yields back.

Mr. SCHNEIDER. One other point is that a significant portion of that, about $44 million, goes directly to non-governmental maternal/child health programs and HIV/AIDS prevention. So, again, it is going directly in that case for humanitarian and basic human needs.

Mr. FORTENBERRY. The first part of the testimony, before you were able to join us, Mr. Turner, covered some of that ground, but it is an appropriate question to re-ask.

And thank you, gentlemen, for answering it.

Well, that concludes our panel. I want to thank you all for joining us today and for your leadership on this important issue.

With that, we will stand adjourned.

[Whereupon, at 5:13 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
Christopher H. Smith (R-NJ), Chairman

October 26, 2011

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa, Global Health, and Human Rights, to be held in **Room 2200 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov):**

DATE: Wednesday, November 2, 2011

TIME: 3:00 p.m.

SUBJECT: U.S. Policy Toward Zimbabwe

WITNESSES:

Panel I
The Honorable Johnnie Carson
Assistant Secretary of State
Bureau of African Affairs
U.S. Department of State

Ms. Sharon Cromer
Senior Deputy Assistant Administrator
Bureau for Africa
U.S. Agency for International Development

Panel II
Mr. Mark Schneider
Senior Vice President
International Crisis Group

Mr. Paul Fagan
Regional Director for Africa
International Republican Institute

Mr. Dewa Mavhinga
Regional Coordinator
Crisis in Zimbabwe Coalition

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Africa, Global Health, and Human Rights* HEARING

Day *Wednesday* **Date** *November 2, 2011* **Room** *2200 Rayburn*

Starting Time *3:00 p.m.* **Ending Time** *5:12 p.m.*

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Chris Smith, Rep. Jeff Fortenberry

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

U.S. Policy Toward Zimbabwe

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Donald Payne, Rep. Jeff Fortenberry, Rep. Robert Turner

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

HEARING WITNESSES: Same as meeting notice attached? Yes ☑ **No** ☐
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Prepared statement from Amb. Carson
Prepared statement from Ms. Cromer
Prepared statement from Mr. Schneider
Prepared statement from Mr. Fagan
Prepared statement from Mr. Mavhinga
Prepared statement from Rep. Bass
Questions for the record from Rep. Carnahan
Prepared statement from Freedom House

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *5:12 p.m.*

Sheri Rickert
Subcommittee Staff Director

"U.S. Policy Toward Zimbabwe"
Africa, Global Health, and Human Rights Subcommittee
Representative Karen Bass | November 2, 2011

Opening Remarks:
Thank you, Chairman Smith for holding this important hearing on Zimbabwe and U.S. policies that support democratic and peaceful change to this important Southern African country.

For the last several years, the international community has watched with concern the activities of Robert Mugabe and the ZANU-PF party. While there is currently a power-sharing agreement between ZANU-PF and the Movement for Democratic Change, MDC, reports indicate that this power-sharing appears tenuous at best.

Let us not forget that Robert Mugabe has been the leader of his country for over 30 years. While Mr. Mugabe and his supporters would argue that his continued leadership comes through fair and honest democratic processes, reports of intimidation and human rights valuations leave little doubt -- he and his party have not lived up to the type and quality of transparent and accountable institutions that support real democratic institutions. During his reign, Mr. Mugabe's Zimbabwe has witnessed rising inflation, escalating unemployment and widespread discontent. But this is not all.

Health – HIV/AIDS
Under Mr. Mugabe's reign, Zimbabwe has suffered under the burden of epidemic disease. While HIV/AIDS rates in Zimbabwe have come down from a staggering 36% prevalence rate in the mid-1990s, HIV/AIDS continues to be a serious challenge for the country and for international efforts to address this crisis. It too continues to strain a fragile health system that must not only meet the needs of those infected but of the other endemic and epidemic conditions that greatly affect the most vulnerable – women and children, and those living in rural and hard to reach areas.

Human Rights
Human rights abuses also appear to be a persistent and growing concern in the country – particularly with reports of new and upcoming elections. Human Rights Watch recently reported the escalation of acts of violence against members of the MDC party – the very partner that comprises Zimbabwe's unity government. It is reported that rates of arrest and violence have increased somewhat dramatically since ZANU-PF called for early elections and an end to the unity government.

ZANU-PF has historically employed military-style campaigns to influence and intimidate. This has included the slaughter of thousands and the displacement of tens of thousands of people and families over the years.

Sanctions
The United States government has enforced sanctions against Zimbabwe and top leaders since 2003. These sanctions have been aimed at punishing and holding those responsible accountable for the country's current difficulties. The U.S. should continue to pursue smart and targeted strategies that currently prevent Zimbabwe from taking the steps it needs to support strong, transparent and democratic institutions.

These and a host of other issues including effective sanctioning are of real concern as we in Washington continue to monitor and track activities in Zimbabwe.

We must continue to support real and sustained democratic change in this country. What is needed is sustained progress towards open and fair elections in Zimbabwe that puts the people of Zimbabwe first; above that of its leaders.

I thank you for your time and I look forward to the testimony of today's distinguished panel.

QUESTIONS FOR THE RECORD
THE HONORABLE RUSS CARNAHAN (MO-03)
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
U.S. HOUSE OF REPRESENTATIVES

Hearing on
U.S. Policy toward Zimbabwe
Wednesday, November 2, 2011, 3:00 P.M.
2200 Rayburn House Office Building

Panel I

- **Assistant Secretary Carson**: During recent meetings, South African President Jacob Zuma and the Southern African Development Community (SADC) issued a report that made clear to President Mugabe that Zimbabwe must adhere to the provisions of the Global Political Agreement (GPA) or else forfeit regional legitimacy. Many analysts are encouraged by this new determination by South Africa and SADC. Some have asserted that SADC's recent actions presents political opening for the United States to reinvigorate its active engagement with SADC to ensure orderly democratic transition in Zimbabwe.
    - How would you assess South Africa and SADC's role in mediating the political disputes in Zimbabwe?

      No response received at time of printing

    - What more can the government of South Africa do to play a constructive role in supporting the aims of the GPA? What actions has the U.S. taken to support the SADC mediation efforts?

      No response received at time of printing

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE DONALD M. PAYNE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Developing Conditions in Zimbabwe Threaten All of Southern Africa

Written Testimony Submitted by Freedom House
to the Subcommittee on Africa, Global Health and Human Rights
of the U.S. House of Representatives Committee on Foreign Affairs

Public Hearing on November 2, 2011 on

U.S. Policy toward Zimbabwe

Washington, D.C.
October 31, 2011

Freedom House thanks the Subcommittee on Africa, Global Health and Human Rights for this opportunity to submit written testimony for the hearing on *US Policy toward Zimbabwe*. These observations are based on Freedom House research and analysis of the state of human freedom in Zimbabwe and on direct contacts with thousands of democratic activists throughout Zimbabwe which Freedom House headquarters and field staff have undertaken continuously over the past six years. The work of Freedom House in Zimbabwe has been made possible by significant funding from the US Agency for International Development in addition to complementary funding from the US Department of State, the Australian Government Overseas Aid Program, the UN Democracy Fund and the Canadian Department of Foreign Affairs and International Trade.

Freedom House supported Zimbabwean civil society leaders and activists to make the opinions and demands of the Zimbabwean people known to their government and the outside world and to peacefully challenge autocratic governance and the denial of basic human rights. Over the past two and one half years, Freedom House has worked closely with Zimbabwean civil society organizations such as the Crisis in Zimbabwe Coalition, represented at this hearing by Mr. Dewa Mavhinga, which have bravely struggled to influence the Government of National Unity (GNU) toward a peaceful and democratic resolution of the decades-long suffering of the Zimbabwean people. Regrettably, progress has been minimal as the Zimbabwe African People's Union Patriotic Front (ZANU PF) has retained control of the security sector agencies and has shamefully abused those agencies' capacity to exert force in order to block implementation of the Global Political Agreement (GPA), which was brokered by the Southern African Development Community (SADC) and was intended to be implemented during the life of the GNU with the aim of producing a transition to democracy.

By a cruel twist of fate, the period of the hoped for GPA implementation coincided with the onset of exploitation under security sector control of rich diamond deposits, which have provided ZANU PF and the security agencies with abundant funding to purchase arms and equip and pay agents of repression. The diamond deposits, together with fertile farm land, other natural resources and a virtually lawless environment for the benefit of those in favor with ZANU PF, have made Zimbabwe attractive to China, North Korea, Iran and Russia, which are supplying ZANU PF elements of the GNU with cash, weapons, technology, diplomatic cover and encouragement to thumb their noses at both SADC and the West. In this testimony, Freedom House will draw attention to the impending power transition in Zimbabwe and the considerable danger that an undemocratic process and outcome will pose for both Zimbabwe and the Southern African region. Freedom House will also make recommendations for United States Government policies and actions to contain that danger.

As this testimony was being drafted, President Mugabe was in Singapore for his eighth visit to that country during this year. Although never publicly admitted by Mugabe and his top officials, it is by now obvious that the eighty-seven year old president is seriously ill, and the frequent travel to Singapore is for medical treatment. A credible foreign diplomatic source has reported that Mugabe's treatment in Singapore involves repeated full blood transfusions. This would explain the fluctuations in Mugabe's alertness and energy reported over the past year by people who have met him. Such treatment can produce only temporary delays in the advancement of terminal illness, and there can be no doubt that Mugabe's exit from his central role in the Zimbabwe crisis will not be far in the future. This of course explains Mugabe's efforts during 2011 to force advancement of Zimbabwe's next election date by two years. ZANU PF has no plan for a power transition within the party. Mugabe wants national elections to occur while he is still alive and might be able to deliver the ejection of the Movement for Democratic Change (MDC) parties from government and five years of unshared

power during which Mugabe's heirs could try to lay the groundwork for ZANU PF's indefinite continuation in power.

This will not be easy. Bitter factional rivalries within ZANU PF pit loyalists of Vice President Joice Mujuru, whose former army commander husband recently died under suspicious circumstances, against those aligned with Defense Minister Emmerson Mnangagwa. Although only one pair in the exceedingly complex nexus of rivalries within ZANU PF, the Mujuru – Mnangagwa competition incorporates most of the factors – enmities based on ethnicity and geography; deep suspicions and long memories; stolen land and money; concerns about access to means of continued self enrichment; corruption and criminal connections; and fear of international prosecution for crimes against humanity – which feature in varying combinations throughout the nexus. The Mujuru – Mnangagwa rivalry has been known for many years, and Mugabe has often encouraged and exploited the rivalry to reinforce his own hold on power.

More recently, new contenders for ZANU PF over-lordship have expanded the field of competition and have probably diminished chances that Mugabe's departure might open the way for a democratic Zimbabwe. Youth Development and Indigenization Minister Savior Kasukuwere represents a new generation gap factor in the nexus. He is a demagogue who promises confiscated foreign businesses to impoverished young Zimbabweans and has assembled unemployed youths into *Chipangano*, an urban hit squad under his personal control. *Chipangano's* outrages have included attacks on market stall operators, MDC government officials and participants in a Parliamentary hearing on human rights. Once assumed to be in the Mujuru camp, Kasukuwere's loyalties are at present not clear. Over the past year he has increasingly appeared to be pursuing his own ambitions. In addition to the Chipangano gang, ZANU PF has an estimated 11,000 youth militia members on the government payroll and posted in Zimbabwean villages to collect information on villagers' political sympathies, carry out hits against ZANU PF's opponents and generally to cause rural people to understand that they will be severely punished for any wavering from support for ZANU PF. Another force at large in the Zimbabwean countryside is the so-called war veterans, led by Jabulani Sibanda, whose thugs have recently been terrorizing Masvingo Province and who earlier this year was involved in open tensions with the Masvingo Province ZANU PF governor Titus Maluleke, whom the war veterans at one point took hostage.

Possibly even more of a threat to Zimbabwe's future than Mujuru, Mnangagwa, Kasukuwere and Sibanda is the Zimbabwe Defense Force Commander Constantine Chiwenga, who has an unstable psychiatric history. The core of the Defense Force is the Zimbabwe National Army with 30,000 active duty troops. Chiwenga and other senior officers have issued public warnings that they will prevent the assumption of power by anyone other than a ZANU PF candidate. Chiwenga has also made it known that he fancies himself as a future president. His soldiers control important mining areas, and Chiwenga, like Mujuru and Mnangagwa, is deeply involved with the criminal gangs that operate the clandestine linkages that manage the secretive flow of Zimbabwean diamonds to international buyers. Chiwenga enjoys close relations with the Chinese and has been said to be receiving advice from the Chinese on a "Burma option" for Zimbabwe, whereby the military and other security sector elements would dominate the country essentially for the purposes of guaranteeing their continued receipt of mineral sales proceeds and their safety from international prosecution. The $98 million defense college compound that China is building outside Harare might someday serve as the place from which Chiwenga and Company could exercise a Burmese junta-like control of the country. Zimbabwe National Army soldiers, not too long ago battle-tested in the Second Congo War and the most formidable fighting force in Southern Africa, are now deployed

alongside youth militias and war veterans throughout Zimbabwe in preparation for controlling the rural population during a constitutional referendum and/or elections.

Combustible combinations of power vacuums, mineral riches, heavily armed groups, lawlessness and violent competition among leaders have destroyed entire African regions and created tragedies of destitution and misery. The Zimbabwean diamond bonanza, which is already under the control of military groups, and the increasingly uncertain situation relating to the coming leadership transition in Zimbabwe pose security threats to the entire Southern African region. And this security threat is no longer a matter of conjecture since Zimbabwean military leaders have stated outright their intention to do whatever is necessary to ensure that their desired outcome is achieved. While Southern African regional leaders and SADC now seem genuine in their determination to facilitate a democratic political settlement for Zimbabwe, their approach continues to be a slow and entirely political set of maneuvers that excludes any effort to address the Zimbabwean security sector or to head off the possibility that the nightmares that occurred in Central and West Africa might happen in their own neighborhood. In a public address delivered at the end of September, President Jacob Zuma's international relations advisor, who is a member of the SADC Zimbabwe facilitation team, told a Pretoria audience that bringing the Zimbabwean security sector under effective control to permit democratic change is a matter for Zimbabweans to work out for themselves. This of course ignores the question: how do people without arms negotiate an agreement to behave democratically with people who are driven by greed and fear and heavily armed?

How should the US government respond? Freedom House recommends the following elements:

1. Support SADC, and especially President Zuma, as they foster the drafting of a democratic constitution and demand conditions in Zimbabwe for free and fair electoral processes.
2. Ensure through active and vocal US public diplomacy that Southern Africans and the whole world are aware of the dangers to Zimbabwe and the rest of Southern Africa posed by the impending transition of power in ZANU PF and the Zimbabwe Government.
3. Plan with Zimbabwe's neighboring governments actions aimed at mitigating threats. One such action would be the initiation of a special SADC Zimbabwe security sector contact group consisting of leaders of integrity from the security sectors of nations such as Angola, Mozambique and Namibia, which have influence in Zimbabwe. The contact group should engage leaders of the Zimbabwean Defense Force, in particular those who take pride in being professional soldiers, and not politicians.
4. Liaise with the United Nations, the African Union, the European Union and other similar bodies to establish a commonly held understanding of the current menacing conditions in Zimbabwe and to push for a coordinated readiness to react to the various scenarios that could develop in Zimbabwe.
5. Talk to the Chinese to convince them that chaos in Southern Africa will not be in their interest.
6. Maintain US restrictions on Zimbabweans and Zimbabwean firms that abuse human rights.
7. Be prepared to substantially assist a democratically installed Zimbabwe Government.
8. Support the MDC as long as they continue to speak for ordinary Zimbabweans.
9. Continue strong support for Zimbabwean civil society to help their organizations continue to function effectively even under more repressive conditions.

Thank you very much for permitting Freedom House to convey our concerns and recommendations regarding Zimbabwe.

Freedom House has produced additional materials on Zimbabwe

The 2010 Countries at the Crossroads Zimbabwe report can be accessed here:

http://www.unhcr.org/refworld/country,,FREEHOU,,ZWE,,4be3c8e70,0.html

The report *Changing Perceptions in Zimbabwe Survey: Nationwide Survey of the Political Climate in Zimbabwe (November 2010–January 2011)* can be accessed here:

http://www.kubatana.net/docs/demgg/fh_changing_perceptions_political _110304.pdf

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