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ZIMBABWE: DEMOCRACY ON THE LINE

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

TUESDAY, JUNE 13, 2000

Serial No. 106–138

Printed for the use of the Committee on International Relations

Available via the World Wide Web: http://www.house.gov/international_relations

U.S. GOVERNMENT PRINTING OFFICE
66–616 CC WASHINGTON : 2000

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ZIMBABWE: DEMOCRACY ON THE LINE

Tuesday, June 13, 2000

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA,
COMMITTEE ON INTERNATIONAL RELATIONS,
WASHINGTON, DC.

The Subcommittee met, pursuant to notice, at 11:16 a.m. in room 2172, Rayburn Office Building, Hon. Edward R. Royce (chairman of the Subcommittee) presiding.

Mr. ROYCE. The hearing of the Africa Subcommittee will come to order.

Today the Subcommittee will look at the political chaos in Zimbabwe, where legislative elections are scheduled for June 24 and 25. Our witnesses today will tell how President Robert Mugabe is sparing no means to maintain power for his ZANU People's Front.

Of late, we have seen the spectacle of ZANU supporters attacking schools, having taken their cue from the justice minister, who accused the teachers of Zimbabwe of polluting the minds of young people. The Zimbabwe Teachers Association says at least 200 schools have been disrupted by intimidation and attack. Teachers have been dragged from their classrooms. Teachers have been stripped naked in front of their students and forced to chant pro-ZANU slogans. Teachers have been beaten unconscious.

This is instigated by a government which professes a concern for education. It is no coincidence that teachers in the past served as the poll workers in previous elections. There can be no mistake that a message is being sent.

It has not escaped the attention of the world that the government police have resorted to colonial era special powers to restrict political activity. Zim Rights, the country's main human rights organization, has repeatedly denounced shortcomings in the electoral process and abuses by state officials. It is clear that free and fair elections are not desired by the Mugabe government.

The political intimidation has been deadly recently. At least 31 persons, mostly Black Movement for a Democratic Change supporters, have been killed. Hundreds others have been beaten, raped, or forced to flee their homes. Ominously, so-called war veterans doing the government's bidding have been deployed to Matabeleland, where they wear red berets. This is a not-so-veiled threat to renew the slaughter that the Mugabe government orchestrated there in the 1980's, which resulted in 10,000 deaths, should it lose this election.

I should point out that there are veterans of the war who are increasingly speaking out against the terror of these government-directed groups and pointing out that some in the groups are far too young to have been involved in the liberation struggle to begin with.

Meanwhile, the Zimbabwe economy is collapsing. The illegal land seizures, designed to intimidate the political opposition, are accelerating the demise of an already troubled and corrupted economy. Food shortages are sure to come. The country's health services also are in crisis.

The State Department recently said that "The U.S. is deeply troubled that Zimbabwe's previous reputation as a law-abiding democratic society is in jeopardy. Violence and intimidation are undermining the rule of law and the very foundation of democracy in Zimbabwe."

I think this isn't quite right. Sadly, the rule of law and democracy have long been compromised in post-independence Zimbabwe. It has been a de facto one-party state where political opponents have been intimidated and physically abused.

The U.S. and the international community have sowed the seeds for today's crisis, sweeping these troubling realities under the rug for years and indulging the Mugabe government with aid. U.S. bilateral aid alone has totaled $750 million while the Mugabe government has bought luxury properties abroad. Land reform has not been a government priority.

The results are in. After President Mugabe has played the donors like a fiddle for 20 years, Zimbabwe is staring into the abyss.

Today we will hear about the role that international observers will play in Zimbabwe's upcoming legislative elections. The Mugabe government is putting up roadblocks to observers. The opposition wants observers. Observers should be sent but international election observers must be prepared to make hard-nosed judgments, calling attention to election shortcomings.

The political opposition in Zimbabwe has shown tremendous courage in the face of terrifying and cowardly government attacks while practicing nonviolence. International observers have a moral obligation to honor democracy by doing their job with the highest level of integrity.

What Zimbabwe desperately needs is a government that can promote a respect for the rule of law. Unless the political landscape is dramatically transformed, I do not see this coming about any time soon. That will be a tragedy for the vast number of Zimbabweans who are committed to peace.

I will now turn to Mr. Hastings for an opening statement.

[The prepared statement of Mr. Royce appears in the appendix.]

Mr. HASTINGS. Thank you very much, Mr. Chairman, and thank you very much for holding this hearing. I will not belabor it by a substantial amount of commentary at this point in time. I really do appreciate your holding the hearing and the witnesses that are here, I am sure are going to edify us regarding perhaps what might be just my central concern. That is what should the United States policy be toward Zimbabwe and how, if at all, are we to implement it with the idea in mind of trying to provide for sustainable democracy.

Mr. Chairman, our colleague Representative Barbara Lee is on route but she has asked, with your permission and unanimous consent, that I offer her statement for the record.

Mr. ROYCE. Without objection.

Mr. HASTINGS. Thank you, Mr. Chairman.

[The prepared statement of Ms. Lee appears in the appendix.]

Mr. HASTINGS. Mr. Chairman, if you recall, you and I visited Zimbabwe. I believe it was your very first visit to the African continent. Little did I know when we were there at the Organization of African Unity's meeting and had an opportunity to visit the countryside, it seemed at least headed in a direction that I would have perceived at that time as being positive.

Unfortunately, that is no longer the case and what happened recently legislatively, for the larger audience assembled, is the chairman of the International Relations Committee, Chairman Gilman and myself and you, Mr. Chairman, and other Members did pass a resolution that I believe reflects the sense of Congress regarding the violence in Zimbabwe and the breakdown of the rule of law in the troubled preelection period.

I will be interested to hear from Ambassador Powell, as well as our other witnesses, how they are going to have an election June 24 and 25 when I do not see the infrastructure that will allow for free and fair elections being there.

Thank you very much, Mr. Chairman, for holding the hearing and I look forward to hearing from the witnesses.

Mr. ROYCE. Thank you, Mr. Hastings.

We have also been joined by Ileana Ros-Lehtinen from Florida and would you like to make an opening statement?

Ms. ROS-LEHTINEN. Yes. Thank you so much, Mr. Chairman.

Given the breakdown in the rule of law, the violations of human rights, the crackdown against democratic reform activists, the bombings of independent newspapers and other violence which has plagued the preelection period in Zimbabwe, today's discussion takes on added importance.

My concerns regarding these challenges to democracy and free independent institutions prompted me to cosponsor House Resolution 500, a resolution introduced by our full Committee Chairman Ben Gilman addressing these grave issues.

However, I would like to make use of the opportunity afforded to me by our colleague, Chairman Royce, to address the case of Cuban doctors Noris Pena Martinez and Leonar Cordoba Rodriguez. These two individuals were on a medical mission in Zimbabwe when they denounced the Castro regime and sought refuge from the Zimbabwe government.

The unfortunate response of the Zimbabwe government was to send armed soldiers to abduct these two doctors and forcibly deport them to Cuba against their will. This plan was foiled, however, and the two doctors have been sitting in jail ever since.

I have written to President Mugabe and have contacted the Zimbabwe Embassy in D.C. I have written to Secretary Albright and to Ambassador McDonald and my office has been in contact with the State Department requesting that our officials visit the two doctors to ascertain their health status and the conditions in which they are being kept, as well as work to secure the release

of Drs. Martinez and Rodriguez to the care of the U.N. High Commission for Refugees and to press ahead with UNHCR efforts to safeguard the procedures in place for such cases so that the doctors are free to travel to the U.S., where they have been guaranteed refugee status.

I ask, Mr. Chairman, if these communications be entered into the record of today's hearings. Given the ultimatum issued by the Castro regime over the weekend regarding authorization of travel for these doctors to any other country except for the U.S., I ask that our State Department officials stand firm in their commitment to afford refugee status in the U.S. to these two Cuban doctors.

I would ask Assistant Secretary Powell to include in her remarks today an update on the status of U.S. and United Nations efforts to ensure the safety and well-being of these doctors who have suffered greatly for denouncing the oppressive Castro regime and for embarrassing this Communist dictatorship by seeking asylum.

I ask that the Zimbabwe government live up to the ideals which gained them their independence in 1980 and not allow Cuba's tyrannical ruler to influence them into taking actions which run contrary to all legal and moral standards.

Mr. Chairman, I ask that you enter these letters into the record.

Mr. ROYCE. Without objection, they will be entered in the record.

Ms. ROS-LEHTINEN. Thank you.

[The letter referred to appears in the appendix.]

Mr. ROYCE. Thank you.

We are now going to go to the Ranking Member of this Committee, Mr. Donald Payne.

Mr. PAYNE. Thank you very much, Mr. Chairman, for calling this very important meeting. I will be relatively brief.

We are aware that problems still exist with the continued presence of the military of Zimbabwe in the Democratic Republic of Congo. That situation is far from over, since recent conflicts between Uganda and Rwanda, both supporting different rebel groups, have broken out and have continued on for some time.

We hope that the resolution of the Congo situation will also have a positive impact on stabilization in Zimbabwe. Many problems in Zimbabwe originate from people in that country wanting their boys, their husbands, and their men home. This becomes a political issue, therefore, making Mr. Mugabe move to other means of diverting attention from a situation that is real regarding the men who are in that war.

There is certainly a serious problem with the land issue and it has been an issue that has been there for several decades. The manner in which the British handled Northern Rhodesia, currently Zambia, was adequate. Funds were made available to purchase arable land predominantly owned by white settlers.

The land had undeniably been taken from the indigenous people, but at least there was a solution by the British to produce funds to purchase the land from the settlers. Therefore, the situation was not volatile, as we presently find it in Zimbabwe, where 20 years later, this issue still remains.

Lancaster House was expected to resolve these issues yet they were not resolved. There is question concerning corruption in addition to the land situation, but that is another story.

My point is simply that you can take an old issue that should have been dealt with and when a politician finds he is in trouble, he simply attempts to exacerbate that problem in order to cover up his own shortcomings.

So I am just here to listen to the testimony. We hope that these elections will proceed fairly. We deplore the behavior of the government along with some of the supporters of the ruling party. This being said, I will yield back the balance of my time.

Mr. ROYCE. Thank you, Mr. Payne.

We will now go to our first panel. Nancy J. Powell is a career senior Foreign Service member who was named Deputy Assistant Secretary for African Affairs in the summer of 1999. Most recently she served as Ambassador to Uganda. Ambassador Powell has also had several diplomatic posts in Asia, as well as Togo and Ottawa. She is a graduate of Northern Iowa University. Today she speaks to us as the Acting Assistant Secretary of State for African Affairs.

Ambassador?

STATEMENT OF NANCY POWELL, ACTING ASSISTANT SECRETARY OF STATE, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Ms. POWELL. Mr. Chairman, thank you for the opportunity to testify this morning on Zimbabwe. As a country that struggled successfully against white minority rule, Zimbabwe was a beacon of hope for the region and the world. The United States made a pledge to help the new state of Zimbabwe and has invested over $750 million since Zimbabwe's 1980 independence to improve the lives of all Zimbabweans.

Ethnic violence erupted in the mid-1980's as the government brutally crushed the perceived threat from the Ndebele people in the south. However, for most Zimbabweans, life got better after independence. Services and access to education expanded rapidly and it appeared that the scars of Zimbabwe's liberation war were healing. As a friend of Zimbabwe, we deeply regret that Zimbabwe's promising future has not yet been realized.

Zimbabwe's commitment to democracy is now being severely tested as the ruling party faces formidable competition for the first time since independence. As Zimbabwe moves into the final phase of the political campaign for the June 24–25 parliamentary elections, the country's previous reputation as a law-abiding society is in jeopardy.

The political campaign has been brutal. Supporters of the ruling Zimbabwe African National Union Patriotic Front, ZANU-PF, have staged occupations of privately owned farms, and the government of Zimbabwe has refused to implement court orders calling on the police to evict the occupiers. Farmworkers have been forced to participate in reeducation camps and announce their loyalty to ZANU-PF under threat of death. The ruling party has expanded its violent campaign beyond the farms to include the beating and rape of teachers, city workers, election monitors, and other professionals suspected of supporting the strongest opposition party, the Movement for Democratic Change.

While violence has come from all quarters, ZANU-PF's campaign of intimidation and violence is especially worrisome because it ap-

pears to have been conceived at the highest levels of the government of Zimbabwe. Government resources were used to transport war veterans to commercial farms that were carefully targeted for occupation. Respect for property rights, a critical component of any nation's development, has been undermined as criminals take advantage of police inaction to pillage and destroy crops and farm property. Some senior members of the government have encouraged the violence and destruction by ignoring court orders and taking few steps to arrest and prosecute the perpetrators of violence.

The government has, in effect, abdicated its responsibility to respect and uphold the human and political rights of all Zimbabweans. Instead, it has approached the elections as if all political opponents were traitors who do not deserve the basic protections so critical to the success of democracy. We were appalled when President Mugabe characterized all white farmers as "enemies of the state." The actions of ZANU-PF endorsed by the government have polarized society and undermined the rule of law in Zimbabwe.

We have approached the government of Zimbabwe at all levels to express our deep concerns over the violence and erosion of the rule of law. The U.S. Ambassador in Harare has met with senior officials to underscore U.S. concerns. We have issued public statements in Washington and Harare calling on the government to respect court orders, end illegal farm invasions, and prosecute the perpetrators of violence. We have also expressed our concerns directly to the Zimbabwe Ambassador to the United States.

The United States has suspended support for the technical support unit of the government's Land Reform and Redistribution Program pending a return to the principles agreed upon between the donors and the government of Zimbabwe at the 1998 donors conference on land reform. We have made diplomatic approaches to other donor countries and to Zimbabwe's neighbors in the Southern African Development Community to try to bring an end to the occupations and violence, stressing that events in Zimbabwe have an effect on the entire region.

The government of Zimbabwe has repeatedly stated that it will impose its own solution on the land reform issue and it has amended the constitution and supporting legislation to allow it to seize 804 commercial farms without payment of full compensation. It claims that it will not pay for land that was taken from indigenous people during the colonial period but will pay, over a period of 5 years, for improvements to the seized land. The government has begun to issue notices to the identified farm owners stating that they have until July 2 to appeal the terms of the property seizures but not the seizure itself.

Zimbabwe's approach is dangerous and will discourage investment and reforms critical to the country's long-term future. It is worth noting, however, that to date, the government of Zimbabwe has not confiscated any land without payment of adequate compensation.

The government of Zimbabwe does not appear to be thinking about the long-term impact that its actions will have on the country's reputation in the region and the world. It has used a legitimate issue, the need for more equitable distribution of land, as a

political tool to occupy farms, incite racial tensions, intimidate rural voters and brutalize real and perceived opponents of ZANU-PF.

The United States has made clear to the government of Zimbabwe that we recognize the historical inequities on land distribution and the need for meaningful land reform. We want to resume our technical assistance program that we suspended in late March.

The 1998 agreement still offers the best prospect for a fair and equitable land redistribution. The government's apparent rejection of this agreement, which it signed after lengthy consultations with all stakeholders, suggests that it may not really seek a workable long-term solution. Instead, it may be creating a crisis designed to benefit ZANU-PF in the June 24–25 elections.

Zimbabweans are paying a terrible price. The economy has suffered. Agricultural production and tourism are down. Inflation is over 70 percent, investment has decreased markedly and unemployment is up. Foreign exchange reserves are down to 1 day's cover and fuel and other imports commodities are in short supply.

Mr. Chairman, the headlines from Zimbabwe are not good these days but it is important to keep in mind that there has been a deepening of democracy, as ironic as that may seem, even as the government is trying to manipulate the political process for its own benefit. Democratic forces have matured in Zimbabwe. Millions of Zimbabweans demand change and the vast majority are using peaceful, democratic means to pursue it.

In February of this year, a majority of voters peacefully rejected a government-sponsored constitution that would have increased Presidential powers and allowed the government to seize farmland without full compensation.

Zimbabwe is rich in natural resources and human capital. Zimbabweans are among the most educated and politically active people on the continent of Africa. A vibrant civil society has emerged that can serve as a long-term foundation for democratic development.

A new political party has been formed that has significant support and is comprised of all racial and ethnic groups. The United States has a long-standing friendship with the people of Zimbabwe and we intend to do everything we can to preserve and advance democratic gains, protect civil society, and help Zimbabweans to uphold the rule of law.

Mr. ROYCE. Excuse me. One moment, Ambassador.

I am just going to remind Mr. Tsvangirai, your mike is on, so I am going to suggest that maybe you could hit your mike button and just turn it off until we come to the second panel, if I could make that recommendation. Thank you.

Ambassador, if you will continue, but I am going to ask you to summarize somewhat because we have two votes and at one point I am going to have to recess for those two votes and then we will come back. Go ahead, Ambassador Powell.

Ms. POWELL. To this end, we believe the June 24–25 parliamentary elections are a turning point in the democratic history of Zimbabwe. The government is facing real competition and political apathy has ended.

Conditions for free and fair elections do not yet exist in Zimbabwe. Given our concern for a credible process, even though we know the electoral foundation is flawed, we will continue our efforts to make the elections as free and fair as possible.

Democracy and governance are the top priorities as jointly conceived by the U.S. Embassy in Harare and USAID for USAID's $12 million-a-year program in Zimbabwe. For these elections, we are funding the training of over 10,000 domestic election monitors. We are also funding training for polling officials of all political parties. We are funding the NGO's involved in voter education efforts to audit the rolls and helping the semi-independent Election Supervisory Commission to cope with the administrative demands of the elections.

The U.S. Embassy in Harare has also hosted distinguished international authorities on elections to meet with government and opposition officials and share their experience to promote credible elections. We are funding human rights organizations that are documenting and protesting abuses in the current campaign. We are also funding international observers from KwaZulu Natal organization, from the SADC Parliamentary Forum, as well as grants that have been awarded to the National Democratic Institute and the International Republican Institute, to monitor the preelection and election process. Our officials from the embassy will also monitor the elections.

We have told the government of Zimbabwe that the United States wants to help with land reform but that our ability to assist with depend in large part upon the holding of credible elections and a return to the principles agreed upon at the 1998 donor conference.

Mr. Chairman, our long-term goal in Zimbabwe is to help build a sustainable democracy based on respect for the rule of law and protection of human rights. We seek also a market-oriented economy that attracts investment and addresses inequities and independent institutions accountable to its citizenry. We want to see a robust civil society that can engage and influence the government of Zimbabwe, stronger leadership in combating the HIV/AIDS pandemic, and more social services to meet the needs of the poorest Zimbabweans. Almost all U.S. Government assistance to Zimbabwe, with the exception of funds to combat the HIV/AIDS epidemic, is channeled through nongovernmental organizations.

We are also seeking, in addition to our domestic goals, to help Zimbabwe to implement the Lusaka Accord to bring peace to the Democratic Republic of Congo where Zimbabwe has deployed some 12,000 troops. With stable democratic institutions at home, Zimbabwe can once again play role in enhancing regional stability. We look forward to working with Congress to seek a better future for all Zimbabweans. Thank you.

[The prepared statement of Ms. Powell appears in the appendix.]

Mr. ROYCE. Thank you, Ambassador.

We are going to stand in recess until these two votes are over. We will be back in about 20 minutes. Thank you.

[Recess.]

Mr. ROYCE. We will reconvene at this time.

Ambassador Powell, maybe I can begin by asking you some questions. The first would be what does the U.S. need to see, at a minimum, for the upcoming elections for those elections to be satisfactory in our view? Ambassador?

Ms. POWELL. Mr. Chairman, we are looking for several things. We know already that the process has been flawed in terms of the gerrymandering of the districts, the intimidation of some of those who are participating in the elections. We would like to see that cease and the elections held under peaceful conditions, under well organized conditions.

We hope that the monitors, both domestic and international, will be deployed and be allowed to observe the elections to ensure that the vote is held fairly, that the rules are observed, as well, and that the people who are counting can be observed in a transparent manner.

Mr. ROYCE. Would we be prepared to say they are unacceptable if these conditions were not met? Is there a minimum turnout percentage that we would consider, given all the intimidation that has gone on, as a requirement?

Ms. POWELL. We are going to be looking to our international observers, as well as our mission people, to be advising on that but clearly there will be a minimum standard that has to be met and we will be pointing out, based on the observation, the direct observation of the elections, where the flaws have been.

Mr. ROYCE. Would we be prepared to say that the results are unacceptable if the results do not meet these criteria that you have enumerated?

Ms. POWELL. I think it is up to the people of Zimbabwe to declare the election unacceptable, not the United States, but we surely can describe it very accurately, based on the observations that we will have in place in terms of the various flaws that have occurred already in the process, as well as those that may occur on election day.

Mr. ROYCE. Given the flaws that have occurred in the process, and let us for a moment assume that those flaws continue to occur, that the intimidation and the beatings and the killings continue up through the election, are there actions we are prepared to take if the elections are not fair and free?

Ms. POWELL. We want to wait until the elections are over to look at that. Clearly there are already some things that have taken place. We have suspended the land reform support, the technical unit that has been there. We have been counseling with the government of Zimbabwe and others on what is needed for a free and fair election under democratic rule.

Mr. ROYCE. I would like to read you correspondence I received from a Zimbabwean democratic activist. He writes, "Mr. Mugabe is a tyrant and is personally responsible for massive human rights abuses during his 20 years in power. In the 1980's he was responsible for near genocide and this year has been responsible for the systematic torture of thousands of Zimbabweans and the murder of opposition party supporters. He has also made a direct threat against an ethnic minority, namely white farmers, who are branded by him as enemies of the state."

"In doing so, Mr. Mugabe is guilty of committing crimes against humanity and now is the time for the international community to warn Mr. Mugabe that if the violence and occupations continue, he will face a similar indictment to the one prepared for Mr. Milosovic lats year. In like vein, steps should be commenced to identify Mr. Mugabe's foreign assets and he should be warned that if the violence and occupations continue, these assets will be seized. The time for quiet diplomacy is over and this is the only language that Mr. Mugabe understands." Now, that is the message I received.

What do you think about his crimes against humanity charges and what about seizing the assets of Zimbabwe government officials as a matter of U.S. policy should conditions deteriorate further? Let's say it leads to mass slaughter again, like we saw in the 1980's. What about that strategy, given that so much money has been moved offshore, you have these palatial estates that have been purchased outside of the country by government officials? What about that strategy? Is that something that the United States might want to entertain as a strategy to ensure a fair and free election?

Ms. POWELL. Let me say that the United States has been documenting the human rights abuses of Zimbabwe annually in our human rights report. We have had numerous discussions with the government officials on the areas where we have found discrepancies. The election is the most recent of those and particularly has been the focus of a lot of attention over the past few months.

The question of dealing with war crimes—human rights violations on an international scale—is one that would have to be looked at much more seriously in terms of specifics and the specific responsibility of individuals in the government of Zimbabwe.

I have no information on Mugabe's particular personal overseas assets. That information, I am sure, could be developed through organs within the government of Zimbabwe. There does not appear to be the large fortune that has been assumed by other people in other countries, but that is something that could be looked at by the government of Zimbabwe.

Mr. ROYCE. Thank you, Ambassador Powell, and I am going to turn to Mr. Payne, our Ranking Member, now for his questions.

Mr. PAYNE. Thank you very much.

I had the good fortune to be on a CODEL led by our colleagues Amo Houghton and Richard Gephardt, which included nearly a dozen Members of Congress. It was probably one of the most successful CODEL's, by virtue of bringing in a number of new people.

The meeting we had with Mr. Mugabe seemed to be relatively positive because, as you know, up until more recent times, maybe a year or so, there was very little being done concerning the HIV virus and AIDS.

The meeting was positive because he admitted that there is a very serious problem. He admitted that there is a lot to be done, which was a break from his past denial that a problem exists.

Could you inform us about any programs that are going on or what the USAID may be doing there that relates to this issue?

Ms. POWELL. We have been working very hard with AID on the HIV/AIDS program. This the one area where we do work with the government of Zimbabwe rather than through NGO's.

Our total is approximately $7 million for this year out of our $12 million program going into the HIV program. It includes creating public awareness, testing and counseling, and a variety of interventions trying to encourage a turndown in the infection rate, which is one of the highest in Africa, 25 percent of the population.

We are also encouraging President Mugabe to be much more forceful in his leadership on this issue, recognizing that Presidential and executive leadership throughout Africa has been a very, very important element in those countries where they have been able to turn the infection rate around.

Mr. ROYCE. Thank you, Ambassador.

If it is all right with the Ranking Member, we have our witness on the line now from Zimbabwe and he is going to have to leave shortly, so if he can hear his testimony, then we can go back to our first panel.

Morgan Tsvangirai is the president of the Movement for Democratic Change, a broad-based opposition political party that is running candidates in all 120 electoral districts in Zimbabwe's June legislative elections. The Movement for Democratic Change spearheaded opposition to the February referendum that was defeated and Mr. Tsvangirai began public life as a trade union leader. He was secretary-general of the Zimbabwe Congress of Trade Unions for 10 years and we will hear him via teleconferencing from Zimbabwe and we are trying to reconnect right now. We had him on the line a minute ago and lost the call, so we are replacing that call.

Good afternoon, Morgan. This is Congressman Royce. I am going to ask you if you could summarize your testimony. We have a written copy for the record and we will now turn the floor over to you. Go ahead, Morgan.

STATEMENT OF MORGAN TSVANGIRAI, PRESIDENT, MOVEMENT FOR DEMOCRATIC CHANGE

Mr. TSVANGIRAI. Chairman Royce, honorable representatives of the House of Assembly, I really do appreciate on behalf of all Zimbabweans the opportunity to address you at this critical time in our history.

We are set for the elections on June 24 and 25 but these elections have been characterized by a lot of violence perpetrated by the state. Thirty members, MDC supporters have been slain, another 30,000 have been displaced and all of them just for daring to support the position.

We are a peaceful people and we hope that you will appreciate that our attempt to form the Movement for Democratic Change is an attempt to provide an alternative option to the 20-year tyrannical rule of Robert Mugabe. Southern Africa not be peaceful if Zimbabwe remains the way it is.

Despite the fact that the election process is under way, the government continues to change electoral legislation by disenfranchising thousands of young people on the voters rolls. The ruling party, ZANU-PF, has realized it will not win this election. The only way they can win this election is to stop people from voting in their desperate attempt to reduce voter turn-out and to manipulate the polls.

Nearly all of Zimbabwe's electronic media is government-owned and the opposition has no access to public media. They have no televised radio debates between the government and the opposition. No opposition party has access to public campaign finance. Only the ruling party has received that financing.

I am certain, Mr. Chairman, that those present in the hearing today appreciate that in a democratic nation, those who are in power know that they have got privileges only at the will of the people and the government is there to serve the people. Those principles are sacrosanct to any democratic state.

I do appreciate the fact that the House of Representatives—we appreciate the expressed solidarity that you have undertaken and we hope that you can work to ensure that these elections are free and fair. They are very critical elections not only for Zimbabwe but for the whole Southern African region.

We in MDC appreciate the opportunity to address such a distinguished gathering. We hope that we, too, will 1 day know what it is like to be free in a country of democratic principles.

Let me also emphasize the fact that the MDC is committed to a transparent, equitable and reasonable, sound land distribution policy. The current process of farm innovation, the degeneration of the rule of law is totally unacceptable to us. We are committed to the restoration of the rule of law as a basis of ensuring that justice again is restored in this country.

Land, race and ethnicity are being used by ZANU-PF as a smokescreen for its own failure and we do hope that the international community and the House of Representatives in particular appreciate the magnitude of the problem here in Zimbabwe and hope that you can deliberate with the full understanding that MDC is committed to the democratic alternative through the ballot box and through no other means.

I am just coming from the campaign rally where we almost were prevented from addressing the people. The people are terrified in that situation. The people are living under terror. 3,000 war veterans have been unleased in that community and this is the state of the election environment which we are facing in this country.

I do appreciate your listening today. Thank you very much.

[The prepared statement of Mr. Tsvangirai appears in the appendix.]

Mr. ROYCE. Morgan, we appreciate very much your testimony and I want to defer to my colleagues and see if any of them at this time have any questions for you. Again I very much appreciate your testimony.

Amo?

Mr. HOUGHTON. Mr. Tsvangirai, this is Amo Houghton. We met you when we were out there with Representative Dick Gephardt on the CODEL in December and it is good to talk to you.

Mr. TSVANGIRAI. Yes.

Mr. HOUGHTON. Can I ask you a couple of questions. First of all, is your life in danger?

Mr. TSVANGIRAI. I think that my life alone is—everyone is unsafe in this environment, from me downward—my supporters, myself and everyone. Me in particular because I happen to be the leader

of the Movement for Democratic Change. Therefore, the question of security of myself, they target the candidates of MDC.

I have a candidate here who has almost been threatened by the army in this country, and is almost leaving tonight to go outside the country because it is unsafe. It is no use to MDC to have dead candidates because that is just the handing all of the constituents to ZANU-PF.

So you must appreciate the fact that everyone is in danger here.

Mr. HOUGHTON. If I understand it, there are going to be thousands of observers over there. Is that going to be adequate? Will they get a proper reading? Will they be able to help in the safety of some of the candidates? How do you feel about the international observers coming over?

Mr. TSVANGIRAI. The international observers are well appreciated. Unfortunately, in their numbers, they can never cover the whole country.

Right at the moment, some of the observers are not being accredited by this country. We have so many incidents where we would like to send these observers to see for themselves the situation in the countryside. But anyway, I think those observers who are in the country will go a long way to creating some sense of peace in certain constituencies but not in all constituencies.

So I think that, in short, I would say that it is appreciated, their number is low, but I think their work is appreciated.

Mr. HOUGHTON. I have just one final question and before I ask it I want to thank you so much for your bravery and your courage and your willingness to stand up for that great country.

One final question. What are you asking people from the outside to do to help you?

Mr. TSVANGIRAI. I am asking them to assist and help the people of Zimbabwe in ensuring that we have a free and fair election. I mean the people of Zimbabwe, all they will need is to cast that vote. They know what they want to vote for. Unfortunately, ZANU-PF will prevent them from going to vote.

So I think as much as possible, your efforts, like these hearings, like your statement, will help to draw the attention of this country that the international community is watching and that is why I am saying that in all honesty, the observers are an appreciated effort by the international community to try to ensure that at least there is a level playing field, even when we know that ZANU-PF is creating conditions that are not ideal for a free and fair election.

Mr. HOUGHTON. Thank you very much. Good luck to you.

Mr. TSVANGIRAI. Thank you.

Mr. ROYCE. Morgan, I have one last question for you. The no-go areas in the country where you are not allowed to campaign. I understand you have candidates in 120 districts, in all the districts, but the government has set aside certain areas where you are not allowed to campaign.

How extensive are those no-go areas?

Mr. TSVANGIRAI. They are extensive. They are actually provinces. I will tell you that in one of the provinces, that is Shonaland East, there are five constituencies there where I would say they are no-go areas. In Shonaland West I think there are two constituencies which I would say they are no-go areas. In Shonaland Central, I

think there are two or three constituencies, again in the same situation. In the Midlands I think there are two constituencies that have been badly affected.

So all in all, these are the areas where I would say certainly something like 10 to 15—I think 10 constituencies where we cannot campaign. Of course, they will allow us there but people would be so terrified that they will not dare come to the meetings.

Mr. ROYCE. Again, Mr. Tsvangirai, I appreciate your testimony and take care and we will see you in the future.

Mr. TSVANGIRAI. Thank you very much. I appreciate it.

Mr. ROYCE. We will now return to our questioning of Ambassador Powell on the first panel. So I will turn to Congressman Meeks and Greg, do you have any questions you would like to ask?

Mr. MEEKS. I am sorry that I missed your testimony. I do not want to ask you to repeat what you said.

I am just interested in what the SADC countries—have they taken an official position in this issue? I know that President Mugabe, for example, was talking about $14 million plan that was proposed by South Africa. I do not know whether that is on hold or not.

So I am just trying to find out where we are with the SADC nations, where we are with that $14 million plan and a plan to try to purchase some of the land back so that we can then divide it up to some of the poor in the nation.

Ms. POWELL. The SADC countries have been in consultation with President Mugabe. There have been several meetings, including the SADC Forum, which is our U.S. panel with the SADC countries at which these issues were discussed.

In addition to that, as you say, there was a plan to put a $14 million fund together in hopes of being able to acquire some of the land. That has been on hold, as we understand it, since the plans were announced to seize 804 farms without compensation.

Mr. MEEKS. So currently there is, I guess, since the announcement of the plan to seize 800 farms, there have been no proposals or negotiations going on of how we can try to resolve this matter in a peaceful manner so that elections can go on in a peaceful manner?

Ms. POWELL. We continue to work with the government of Zimbabwe, stressing the principles under which we would be able to restart our technical assistance. I am sure the SADC members have also adopted a wait-and-see attitude.

We have determined that until free and fair elections are held, we would not resume our assistance on the land reform issue.

In addition to that, I should add that SADC has also put forward an observation team for the elections. The parliamentary group will have an observation team.

Mr. ROYCE. Thank you. We will now go to Mr. Tancredo.

Mr. TANCREDO. No questions.

Mr. ROYCE. No questions from Mr. Tancredo.

Congresswoman Lee?

Ms. LEE. No questions.

Mr. ROYCE. No questions.

That completes our first panel. Ambassador, thank you very much.

Mr. Hastings?

Mr. HASTINGS. Mr. Chairman, I appreciate it. I apologize to the Committee and to the Ambassador. We had the defense minister from Gabon and we are trying to shuttle back and forth.

I really want to know where our leverage is with reference to the International Monetary Fund and the World Bank and places like that.

As I read your testimony before us, your written testimony, Madam Ambassador, you seem to place emphasis on the fact that if there is no credible election June 24–25, whenever, that we are not going to—or we are going to undertake to do something in this sphere of how we go about dealing with monetary undertakings with Zimbabwe.

I guess my concern is it seems like we wait with our leverage and then, after the bad things happen, our leverage does not count. I may not be making sense but where is our leverage? I am not talking about NDI and monitors. What can we do?

Ben and I filed that resolution and I told him, his staff, when we filed it, resolutions are just a whole bunch of words. Nobody in Zimbabwe gives a damn about us filing a resolution. So what can we really do, is what I want to know.

Ms. POWELL. Let me address this in a couple of ways. Last October, the IMF and World Bank suspended programs for Zimbabwe on the basis, for the IMF, of Zimbabwe not having complied with the requirements of the program that they had in place.

The World Bank has also decided that it will not disperse additional money, although some current programs are continuing. They will wait until the IMF issues are sorted out and that Zimbabwe has come back to the IMF program that it started.

As I pointed out in the testimony, the economic conditions continue to decline. Unemployment is at a very, very high rate, inflation at 70 percent, and the fuel shortages and other shortages are beginning to have a very serious impact on people. I am told that it is one of the major issues of the elections. People try to deal with the economic issues confronting them.

So we would need to continue as the international community to engage with Zimbabwe on economic issues after the elections are over. Land reform is one of the economic issues but it is not the only issue. There are certainly reforms that need to take place to get back on the IMF program.

I believe that all of us in the United States are looking for those ways in which we can maximize our influence with Zimbabwe and encourage it to observe the rule of law to allow its civil society and its political groups to move forward, but as positively as they can through this election period, to include a very viable parliament as a result of this election.

I think your words and those of others that will be testifying today are very important that the people of Zimbabwe know that the international community and particularly the United States cares about their election and how it is conducted and is very concerned that it be conducted in a free and transparent manner and I do appreciate——

Mr. HASTINGS. Ambassador, while words help, the gentleman that was on the teleconference, I am sure that something like that,

a resolution, reaches him and maybe somebody in the population but the person that counts in this kind of controlled environment would be Mugabe and I maintain that he does not care one whit about what we are doing. Unless we exercise some stronger measures, then nothing is going to transpire that is going to be positive with reference to the kind of leadership that he has demonstrated over time.

My other question and my final one, Mr. Chairman, I guess goes to the British embargo with reference to arms I do not know, did you discuss already the arms embargo that the Brits have and the fact that it appears that some small arms have been sold by China to Zimbabwe? What were we doing? What was our intercession, if any, with reference to all of that?

Thank you, Mr. Chairman.

Ms. POWELL. The British embargo was a unilateral action taken by the British. We certainly can look at that measure and its effectiveness, particularly if the election does not go well.

I do not have a full report on the reference that you are making to the arms shipment, but we will try to get more information and share that with you.

[The response to questions appears in the appendix.]

Mr. Chairman, one of the Members asked about the two Cuban doctors. Would it be possible for me to respond just briefly to that?

Mr. ROYCE. Certainly, and then we are going to go to Mr. Payne for his questioning and then to Congresswoman Barbara Lee.

Go ahead, Ambassador.

Ms. POWELL. UNHCR has had access to the two doctors. They have confirmed that their health and other conditions are fine. They are being held in protective custody in conditions that meet international standards.

We are working with UNHCR, certainly with the government of Zimbabwe, to ensure that the government meets its obligations under the handling of refugees and we will be continuing those efforts to get the release of these two doctors from Zimbabwe.

Mr. ROYCE. Thank you very much, Ambassador.

We will now go to Mr. Payne.

Mr. PAYNE. Thank you.

I have met with some of the opposition leaders and they seem to be fairly well organized, I see this in the work of IRI and NDI. How would you assess the opposition in their organization and their ability to get their program established?

Ms. POWELL. As was stated, the MDC is the largest group and it is a relatively new group. It has been built by many of the followers of the labor union movement and they have had a very good grassroots organization as a result of that and been able to reach out through the country. They have aspired to have a very nonviolent campaign, to look at issues, particularly of dealing with the economy, and they have been, with the exception of the no-go constituencies that Mr. Tsvangirai talked about, they have been able to have a very vigorous campaign, although certainly many of their members have been intimidated, they have had their cards taken from them, they have been forced to recant their membership, and there has been a degree of intimidation that has been unprecedented.

But they have also provided perhaps the first real opposition to the ZANU-PF in 20 years since independence.

Mr. PAYNE. To your knowledge, with regard to the HIV virus and AIDS, is it more prominent in cities or in the rural communities?

Ms. POWELL. Mr. Payne, I am sorry; I do not know the answer. I will have to find out. In general, it has been an urban phenomenon but I am not sure in Zimbabwe.

[Further response appears in the appendix.]

Mr. PAYNE. Since we are running behind, I will just hold my other questions.

I would like to say that when Zimbabwe became independent, the big emphasis was on education and health, and Mr. Mugabe and his government did an outstanding job in education, probably the best job done in any African country.

Unfortunately, the economy never caught up to the educated individuals and therefore created unrest by virtue of the fact that you do an outstanding job in educating your population and then there is no place for them to go and seek employment. So that was, I guess, one of the beginnings of the downfall of the system there in Zimbabwe.

But I do feel that, and I will ask some of the other speakers, I do feel that we did not—that the whole Lancaster question, although we get different versions of what was supposed to happen, but I think that is certainly part of the problem that we find today because of what was not done at the time when those agreements were made.

Just finally, I think that—I wish my colleague from Cuba was still here because I have often commended the Cuban government for the outstanding job that they have done around the world by the fact of having an excellent educational system there and providing a number of doctors throughout the world, in particularly in the Third World. Had it not been for the Cuban government, many countries in Africa would even be suffering more with the lack of medical attention.

So I hope that this question is resolved with these two doctors but I think that they have done a great humanitarian service to the Third World, from Cuba. Thank you.

Mr. ROYCE. Thank you, Mr. Payne.

We will now go to Congresswoman Lee.

Ms. LEE. Thank you, Mr. Chairman.

Let me just ask a couple of questions. Of course, land reform was central in the independence struggle with regard to the former Rhodesia and now it is central in the elections.

I am wondering what the United States' role has been in terms of our foreign policy as it relates to land reform during this period. Also in terms of donor help, has the United States or is it helping in this effort?

I am still not clear on where we have been since independence until now.

Ms. POWELL. As you say, it has been a historical problem that they have been dealing with. There have been 90,000 families that have been resettled on land that has been acquired in a willing buyer/willing seller format over the last 20 years.

In 1998, the recognition was made among the donor community that not enough had been done to address this question. The donor community and the government of Zimbabwe negotiated and agreed upon some principles which again continued the willing seller/willing buyer format.

They also tried to streamline some of the ownership requirements and the registration of property. They tried to ensure that women could own property and some of the farmland. They also tried to incorporate an element of poverty alleviation to the program, in addition to trying to make it very transparent.

The U.S. role in support of this was to provide expertise from the University of Wisconsin's Land Center. That program was continued up until March of this year when we had to suspend it as a result of the actions by the government of Zimbabwe.

We would like to provide that support. We think the issue is a real one and one that needs to be addressed, but only after the elections have been free and fair.

Ms. LEE. But let me just ask you, though, in terms of the importance of land reform, have we ever just said, as part of our foreign policy, "Do it; it is important; it is critical. If you do not do it, things could blow up at some point"?

Ms. POWELL. We have not. We have included it in our efforts to address economic reforms and clearly if there is not a solution to this effort under the economic reform program, Zimbabwe is not going to be able to attract investment, not going to be able to move the agricultural economy forward. It has also been an important part of that, but it has not been, as you say, a sine qua non for continuing the aid program.

Ms. LEE. May I ask one more question?

Let me just ask you with regard to the HIV/AIDS crisis in Zimbabwe, which is devastating the country—it is another part of this overall security issue?

First, based on some of the numbers we have, 26 percent of working adults tested positive for HIV/AIDS. 240 out of 340 people die of AIDS-related diseases each day. I know a large percentage of the military is infected, also, in Zimbabwe.

Now, when President Mugabe sought to establish an AIDS levy, there was major opposition—of course, from the labor unions and other segments of the society. Primarily, I believe the reason was the overtaxation already.

What have you found to be the case in Zimbabwe and how has the national government addressed it as a priority, short of this levy that has not been able to be, I guess, enacted at this point?

Ms. POWELL. You are quite right. It has not been enacted.

The government is taking a slightly more proactive stance on AIDS, recognizing particularly its devastating impact on individual families and particularly children, the impact that it will have eventually on the work force and the economy. But, as I mentioned earlier, we are still looking for much more leadership from the central government. We consider this to be a vital element of any government's attack on HIV/AIDS. There must be central leadership in order to attack this and to make people aware of the problem and what is being done.

Ms. LEE. Thank you, Mr. Chairman.

Mr. ROYCE. Thank you.

That completes our first panel but in summing up, I would ask that the administration be prepared to make a hard-nosed call on this election. I think there is no room for allowing a fudging of this election. So I thank you very much, Ambassador Powell, for your testimony here today.

For our second panel we are going to hear from Ambassador Chester Crocker. He is the James Schlesinger Professor of Strategic Studies at the Georgetown University School of Foreign Service. He served as assistant secretary of state for African affairs from 1981 to 1989 and developed the diplomatic strategy that led to the signing of the landmark New York Accord. Dr. Crocker did undergraduate studies at Ohio State University and earned his masters and his Ph.D. at Johns Hopkins.

Dr. Crocker may have to leave us early, so we appreciate his testimony and we are going to ask him to go first.

Before we do that, we are just going to introduce Patrick Merloe, responsible for directing the National Democratic Institute and their electoral programs, including constitutional and law reform projects. He is involved in NDI programs related to the rule of law, public policy advocacy, and citizen participation activities. Mr. Merloe's program activities in the last year have involved him in Africa, Asia and throughout the world. Mr. Merloe did his undergraduate studies at Temple University and is a graduate of the University of Pennsylvania Law School and we will hear from him second.

Then we will hear from Lloyd Pierson, director of the Africa Division at the International Republican Institute. He was previously an associate director of the Peace Corps and also served as a Peace Corps country director in Ghana, Botswana and Namibia. Mr. Pierson earned a B.A. in international relations at the University of Houston and did graduate studies in law and public administration.

He is no stranger to Capitol Hill, having worked as staff associate and administrative assistant. He has also appeared before this Subcommittee previously.

So we will now go to Ambassador Crocker.

STATEMENTS OF CHESTER CROCKER, PROFESSOR, INSTITUTE FOR THE STUDY OF DIPLOMACY, GEORGETOWN UNIVERSITY

Mr. CROCKER. Thank you very much, Chairman Royce. Good to be back here with you and your colleagues.

There has been a lot said about the trends and the facts on the ground and there is a lot more that will be said by colleagues on this panel and I do not want to spend a lot of time on that, maybe focus a little bit more on what we can do, what realistically are the options that we face. But just a few observations, and I have given you a written statement, as well, but just a few observations on the trend lines.

I have been a frequent visitor to Zimbabwe for the past 33 years and first went there at a time when it was also a troubled country, in the midst of its liberation struggle against minority rule, and I have been many times since.

Zimbabwe has often seemed a troubled place. Right after independence there was a period of real troubles when many people lost their lives. ZANU-PF was consolidating its monopoly of political control.

So we have often seen Zimbabwe as a place, I think, where there were the trappings of a democratic system but behind that facade, if you will, there was the arbitrary use of official power, as much official power as was needed to maintain a monopoly of control, an uneven playing field for opposition and resort to the tactics of intimidation.

But until the late 1990's, and is my first point that I would like to underscore, Mr. Chairman, these practices remained within certain limits, maybe, in part, because only recently has the opposition really found its feet. But in any case, I think we are seeing quite a different situation today in terms of the patterns of intimidation and abuse.

This is a dramatic situation now in Zimbabwe. We are 10 days away from one of the most important elections in modern African history. As has been noted, the opposition will run in every constituency. Thousands of observers will be there from a wide range of local and foreign institutions.

There is excitement in the air in the country politically because the constitutional referendum process demonstrated that there really is competition in Zimbabwe. At least there is competition when it is permitted.

The upcoming election is taking place against a widespread campaign of government-sanctioned and sponsored violence whose dimensions, I think, are generally pretty well known.

I would like to underscore something you said, Mr. Chairman. One stands in awe at the courage and conviction of unarmed oppositionists who are trying to compete in the political process against a government which is playing by other rules, other rules altogether, and these leaders in the opposition have come together from a wide range of backgrounds—the union movement, the educational profession, the law, journalism, human rights advocacy, women's groups, and so forth, united in the belief that it is possible for Zimbabwe to have peaceful, democratic change. Yet we know how much of an uphill struggle this is.

This need not have happened in Zimbabwe. Zimbabwe is a place, Mr. Chairman, which has many things going for it in terms of its resources, human and physical, in terms of the strength of its industrial economy, its commercial agriculture, which, until recently, has been a key source of regional dynamism, making Zimbabwe a significant commodity and food exporter and a key economic partner for all the countries of Southern Africa.

I would also say that the leadership in Zimbabwe over the years has not been all on the negative side. This is not a country which has been for the last 20 years governed the way it is being governed today.

Something has cracked. Something has gone wrong. Something has gone badly off the tracks. This is a government which, at times in the past, has been a constructive member of a regional community. No longer. No longer the case.

So those legacies have gone out the window and Zimbabwe's policies of the past of pragmatism and reconciliation and regional cooperation have been replaced by the political of greedy adventurism in the region, most notably in the Congo, and the politics of envy and racial scapegoating at home.

The real problem, no matter what the government officials may say, the real problems are of their own making. This is not about land ownership. It is not about colonial legacies. It is not about the role of white farmers. It is about power. It is really about power and that is the long and the short of it. The primary challenge in terms of power is coming from black Zimbabweans and I think we have heard that already this morning from Morgan Tsvangirai and his colleagues. Everything else is pure cover story—the playing of racial cards by an embattled regime.

The sad part of all this to me, Mr. Chairman, is that this is not the way Robert Mugabe started out his political career. It is not the way he was for much of the past 20 years. He has made contributions to his country's history and that of the region. While I have often differed with him, I have respected him as a man of substance, intelligence, and deep conviction. It is very sad to witness his fears of losing office crowd out those other qualities.

So we have a drama. This could be an implosion with broad regional implications far beyond those of Zimbabwe. Zimbabwe affects an entire region. It is at the hub of an entire region. It is the Southern African region's second most important player in many ways, both political and economic.

So I think we have a lot at stake. This is about our principles and our interests in Zimbabwe, but it is also about Africa and Southern Africa quite specifically.

Just to give one example, the South African currency has gone down 10 to 15 percent in the past few months because of Zimbabwe. It is as simple as that and there is no other explanation for the performance of the rand. I know there are people who try to give other explanations but that is my explanation.

What are we doing about it? My impression is that we are wringing our hands. We are hoping South Africans will rescue the situation. We are doing what we can to strengthen the democratic process and I applaud everything that we are doing as a government—executive branch, Congress, and NGO's, which are playing the lead role—to try somehow and make this as democratic an election as it can be. But we are not doing a whole lot beyond that to shape events, either by ourselves or with our partners in Africa and Europe. I would suggest to you that things have deteriorated badly. There are not any really attractive options left before us.

But there are two broad avenues we could consider. Of course, we do not know how the election will come out. It is possible that the election will come out better than we think, that the playing field will be more level than we think, and that the opposition will come out better than the worst case analyses have led us to believe. It is possible and we do not want to prejudge that result.

It may also be that the opposition would be very pleased, thank you very much, if they win 50 seats, even if they know in their heart of hearts that they could have won 90 and therefore they will say, "Look, is the glass half empty or is it half full?" We have to

be a little careful, I think, in deciding ahead of time what is an acceptable outcome because it is for the people of Zimbabwe even in these difficult circumstances to address that.

But I am not going to bet on an outcome as good as the one I have just been talking about. If I were a betting man, I would not bet on that kind of outcome. I would bet this election is going to go south and that it is going to be substantially robbed. I am afraid that is the case. I wish it were not the case.

So under one scenario, if that is indeed what happens, we have the possibility, I suppose, assuming that violent intimidation and police state tactics work, of deciding, "Do we engage with this leadership, warts and all, or not?" And by engage, I do not mean writing checks for them. I mean using every element of our actual and potential leverage to try to pull them back from the edge of this self-destructive orgy they are now in, and that will not be easy to do and it will not be pretty to watch, but I think we do have leverage we have not really used that perhaps could get through in a post-election environment. The goal would be to salvage a regionally dangerous situation and move the country's leadership back within the pale of minimally acceptable conduct.

This will not be easy, given our political values and our deep commitment to those values, to engage with a group like this, but it might be better to do that than to resort to the kind of petulant self-isolating ostracism which we are all too frequently applying around the world today and isolating ourselves.

The second option, and I speak very candidly, is to work through all appropriate channels for a change in power in Zimbabwe, recognizing that perhaps it is destined to become Africa's Romania and that Mugabe is destined to become Africa's Ceausescu. It was, though, even in Romania, the people of Romania who made the change ultimately, not Americans.

So if we were to decide to try and work for change in power in Zimbabwe, I would hope that we would have the wisdom to be discrete, to be low-key and to avoid giving those in power there the excuse that foreigners are out to get them.

We would treat Zimbabwe basically like a pariah under this option. We would disengage from official government-to-government relationships, programming of any sort, and wait for the pressures to mount, helping them along as best we can.

Under either approach, we must recognize that we are only one country and that we should be in careful, practical and detailed consultations with the South Africans, with the Zambians, with the Mozambiquans and above all, with the British, who know this place and have more influence there than we do.

So I hope that our current penchant around the world for what I would call sloppy unilateralism can be brought under some semblance of control and that we can actually figure out how to work with key players in the region who also have interests at stake in Zimbabwe. Thank you, Mr. Chairman.

[The prepared statement of Mr. Crocker appears in the appendix.]

Mr. ROYCE. I thank you, Ambassador Crocker.

We will now go to Mr. Merloe.

STATEMENT OF PAT MERLOE, DIRECTOR OF PROGRAMS ON ELECTIONS AND POLITICAL PROCESSES, NATIONAL DEMOCRATIC INSTITUTE

Mr. MERLOE. Thank you, Chairman Royce, Members of the Subcommittee, for this opportunity to comment on the troubled election and political processes that are surrounding the June 24–25 balloting in Zimbabwe.

Mr. Chairman, I would like to thank you for your opening comments in today's hearing. They were quite incisive and I can associate myself closely with them.

I will briefly summarize for you my prepared statement. Zimbabwe is a pivotal country in Southern Africa and its democratic development is of exceptional importance to Africa and beyond. The international community supported the people of Zimbabwe in their quest for independence and majority rule. Today people around the world continue to support those striving in Zimbabwe to promote democracy, the rule of law, and human rights.

Zimbabwe's parliamentary elections, to be held in less than 2 weeks, present a critical test for the country's democratic development. The National Democratic Institute for International Affairs, NDI, received requests from a variety of Zimbabwean political and civic leaders to monitor the electoral developments. NDI has been working in Zimbabwe since February 1999, through support from the National Endowment for Democracy and the U.S. Agency for International Development.

The goal of this work has been to promote dialogue among all of the major political parties in order to reach a common understanding of the basic aspects of electoral reform needed to hold credible elections.

As part of this work, we have taken leaders from civil society, political parties and electoral authorities to witness electoral developments in other countries where competitive elections have been held, including South Africa and Mozambique. On February 4 and 5 of this year, we sponsored a roundtable with leaders of all of the major political parties in Zimbabwe where they discussed and then drafted a code of conduct for the parliamentary elections. Subsequently, all of the political parties except for ZANU-PF have adopted that code of conduct.

We also turned to a phase of training the trainers for poll watchers for the political parties in that country. 720 of them across the 10 provinces of Zimbabwe have been trained in order, again, to try to bring some semblance of peace and civility into the electoral process.

It is in this context that we received requests to observe the election and working in close cooperation with the International Republican Institute and other international and domestic election observer groups, we decided to observe the elections.

NDI then organized a multi-national preelection delegation that visited Zimbabwe from the 15th to the 22nd of May. I was a member of that delegation, which was led by the Honorable Alex Ekwueme, former vice president of Nigeria from 1979 to 1983 under that country's civilian government. It included members of parliament from neighboring Mozambique, from also Namibia, from

Kenya, from Canada. We received technical advice from the chief election officer from South Africa, as well as from our Southern Africa team.

Since that time, NDI has maintained an in-country staff and added a 10-person long-term observer group that has been deployed around the country and that has been developing reports and information. There will be a report from that group that will be finished by the end of this week, copies of which will be provided to the Subcommittee.

Mr. Chairman and Members of the Subcommittee, you were supplied a copy of NDI's preelection delegation 17-page statement which was issued on May 22 in Harare. It also has been included as an appendix to my prepared statement.

That delegation concluded that the conditions for credible democratic elections did not exist at that time. Regrettably, conditions for credible democratic elections still have not been established in Zimbabwe. The effects of violence and attempts at political intimidation have undermined trust among many Zimbabweans in the secrecy of the ballot and have raised fears of retribution for voting against the ruling political party.

These factors could affect the voters' decisions about whether to vote and for whom to vote on June 24 and June 25. Political violence since Zimbabwe's February 2000 referendum has restricted the exercise of freedoms of opinion, expression, association, assembly and movement, as well as the right to be secure from physical harm due to political affiliation. The abilities of political parties and many candidates, predominantly from the opposition, to campaign openly and freely do not meet international standards for electoral competition.

The election conditions fail to meet requirements contained in the declaration of rights in Zimbabwe's constitution and electoral standards based upon international instruments, such as the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, which are applicable to Zimbabwe.

The level of violations of civil and political rights in Zimbabwe's election context led Amnesty International on June 6 to issue a report entitled "Zimbabwe: Terror Tactics in the Run-Up to the Parliamentary Elections, June 2000." I provided copies of that report to the Subcommittee and I would like to quote for you just two sentences from the first page of Amnesty International's report.

"Amnesty International has concluded from its inquiries"—their team in Zimbabwe—"that there is evidence that the government of Zimbabwe is either instigating or acquiescing in various violations of human rights, including extrajudicial executions, torture, and other cruel, inhuman or degrading treatment or punishment. There appears to be a deliberate and well thought out plan of systematic human rights violations, with a clear strategy constituting state-sponsored terror in the run-up to the June elections."

Although political violence appears to have diminished somewhat during the past month, it continues at tragically high levels. An atmosphere of fear still prevails over much of the country. While supporters of the ruling party, ZANU-PF, and of the opposition parties have been victims of political violence, the overwhelming predominance has concerned supporters of the opposition.

Mr. Chairman, while Zimbabwe's election authorities have demonstrated in the past an ability to organize the administrative aspects of elections, there are serious problems in the legal framework for elections and election administration, as well. Should the violence cease, electoral problems will come to the fore.

There was a consensus, for example, across the political spectrum that an independent election commission was required to organize credible elections. Following the defeat of the referendum, the elections were called, however, without instituting that electoral reform.

Critical problems concerning a level playing field have also been identified. There is heavy news bias favoring the political party that is in power. The qualification requirements for state funding result in only one party, ZANU-PF, receiving such funding. New voters rolls, which have been created——

Mr. HOUGHTON. Would you please summarize?

Mr. MERLOE. Yes, I am coming to a conclusion, thank you. The new voter rolls also provide concern that there may be disenfranchisement on the 24th and 25th of June.

Mr. Chairman, there also have been problems concerning election observers, which my colleague Lloyd Pierson will address, that have affected the plans of NDI and IRI. But despite these and other obstacles that are serious, as we have seen, political parties in the opposition and civic and religious leaders have been mobilizing to participate in the electoral process and to monitor it.

International experience has demonstrated that in countries like Zimbabwe where violence and fear undermine credibility, it is necessary for the government to take extraordinary steps to win the confidence for there to be a meaningful election that can be accepted by the opposition, ruling party, and the citizenry alike. It is unfortunate that such efforts have not been made in Zimbabwe. It is hoped that responsible authorities will take swift action in the 11 days that remain.

It is unfortunate, however, that in 11 days remaining before the election, there is not really time or the opportunity to discuss a level playing field. That question is settled. We hope that there can be nonetheless a peaceful and orderly election that takes place and that political violence will stop and there will not be retributions in the post-election period. Thank you, Mr. Chairman.

[The prepared statement of Mr. Merloe appears in the appendix.]

Mr. ROYCE. Thank you, Mr. Merloe.

Now we will go to Mr. Pierson.

STATEMENT OF LLOYD PIERSON, REGIONAL DIRECTOR FOR AFRICA, INTERNATIONAL REPUBLICAN INSTITUTE

Mr. PIERSON. Thank you very much, Mr. Chairman. I would like to, in the beginning, say a particular thanks and appreciation to you and Congressman Payne and the other Members of this Committee for all of your outstanding support for democracy and governance programs and particularly for this hearing focussing on Zimbabwe.

Mr. Chairman, Members of the Subcommittee, thank you for the opportunity to appear here today and comment on one of the most powerful democratic reform movements currently under way, not

only in Africa but in the world. A courageous coalition of political parties, trade unions, civil society groups, religious organizations and what appears to be an overwhelming percentage of the Zimbabwe people are sending a very strong message that a desperate authoritarian regime will not last.

For those of us who have a longstanding deep affection for Zimbabwe, for those who recognize the talents, work ethics and values of most Zimbabweans, for those who know that democracy has won the intellectual battle as the best political system to guarantee open and transparent government and protect individual liberties, for those who cherish life, liberty and pursuit of happiness and believe that government should be of, for and by the people, current events in Zimbabwe are very painful.

The present government of Zimbabwe began its journey in 1980 with great hope. Many currently in the opposition were originally a part of ZANU-PF, the majority party, or considered themselves in partnership to foster a peaceful transition from Rhodesian colonial rule. Education and health care facilities were improved. Land reform was and continues to be considered a necessity by virtually all Zimbabweans.

After 20 years in power, the government has lost its way. Democracy and good governance have been shoved aside for power and control. Due process, free speech, rule of law, freedom of the press and the right to assembly are not only under attack by the government; it is the Mugabe government that clearly ignores rulings of the judicial branch and suppresses its own people.

Mr. Chairman, a very strong Sense of the House Resolution has been introduced in the U.S. House of Representatives. I might comment that when Mr. Hastings was making a statement and some questions to Assistant Secretary Powell, he brought up the need for very tough measures concerning Zimbabwe and we agree with that and he brought up the Sense of the House Resolution.

The Sense of the House Resolution really had its origins, Mr. Chairman, in early March in a meeting in your office with the reform delegation members who came from Zimbabwe. The impact of that Sense of the House Resolution in no way should be underestimated. While many Sense of the House Resolutions may, in fact, be routine or a matter of course, that Sense of the House Resolution had a major impact in Zimbabwe.

I might have to check my chronology on it but I believe that that statement was the first major statement from any U.S. part, executive branch or the legislative branch or any organization, that really dealt with the violence, the intimidation, the harassment in this troubled preelection period and rule of law in Zimbabwe. You, Mr. Gilman, Mr. Hastings and others were among the Members of Congress that have strongly supported that resolution. Very strong legislation regarding Zimbabwe has been introduced in the Senate.

In Zimbabwe we have seen and believe that the opportunity genuinely exists for an open, transparent government. IRI's interest is in the development of a multi-party system and a government that is for the people, not for itself.

I want to also stress that the democratic reform movement in Zimbabwe is being led and supported by the people of Zimbabwe, not external organizations. The democratic reform movement will

continue with or without IRI or any other international assistance. There should be no mistake about that. We can, however, have an impact by showing our support for democracy and good governance.

The stakes are very high in this election. The parliamentary elections on June 24 and 25 are for 120 seats. The parliament, the National Assembly, actually has 150 seats. Thirty of those are named by the president of the country. Of the 120 seats, and each individual runs in what is called a constituency, which is similar to our congressional district, of the 120 seats currently in the parliament, 117 of those are from the majority party. Based on statistical analysis of the February 12 referendum and what the opposition sees as their opportunity in this election, they have estimated that as much as 100 of those seats in the June 24–25 balloting could go to the opposition.

As you are aware, Mr. Chairman, the International Republican Institute at this time has a commitment to send an international observer delegation to these elections. We already have six observers on the ground. There is an accreditation problem. We do not know at this time if the observers who we have presently in Zimbabwe or this delegation is going to be accredited. There are innumerable number of problems and difficulties that we are having.

Shortly before this hearing began, I talked with our resident director in Zimbabwe who had just returned from a meeting at the United States Embassy. The process for accreditation of IRI and NDI over the past several weeks has changed virtually daily. The latest requirement is that no nongovernment organization from the United States will be accredited as an observer mission.

The deputy chief of mission of the State Department met today at the Foreign Ministry in Zimbabwe and was advised that the only delegation that would be accredited from the United States would be an official delegation from the U.S. Embassy, that no nongovernment organization not going through the U.S. Embassy would be accredited.

We have a commitment, we have a very strong commitment to observe and monitor these elections and we intend to abide by that but I do want you, Mr. Chairman, to know that there is a serious problem right now and we have to—I did mention to Assistant Secretary Powell shortly before her testimony, she is aware of this requirement. They are verifying it and we will do other verification today.

Mr. Chairman, that concludes my testimony but I did want you to know that there is a serious problem with the accreditation.

[The prepared statement of Mr. Pierson appears in the appendix.]

Mr. ROYCE. Mr. Pierson, thank you very much. I thank you all for your testimony.

I guess I would turn to Ambassador Crocker at this point and ask the Ambassador—I noticed he was reflecting on your comments and on Mr. Merloe's. What advice, Ambassador, would you give NDI at this point and IRI and what advice would you give us with that new information that we just heard?

Mr. CROCKER. Chairman Royce, that is interesting and new information. There is obviously a very elaborate political process of accreditation under way and I gather numbers like thousands of

observers are being mentioned. I do not have a precise number to put on it.

My recommendation would be to our executive branch and the State Department that we ought to see to it that no foreign government can conduct itself that way because we are going to make IRI and NDI part of our official delegation. That is what I would do. I would turn it right back around on itself.

Mr. ROYCE. I see. That is an interesting approach. I am glad I asked that. I think that——

Mr. PIERSON. I do not know if NDI and IRI want to be embraced as part of the official delegation.

Mr. ROYCE. That is true; we should ask them. But we will continue this dialogue actually after the hearing and Mr. Merloe, I will talk with you and Mr. Pierson at that time.

Of course, much of your focus, Ambassador, was on what we could do multilaterally. Tell us what some of our multilateral options would be if the administration could work in tandem right now. I know we had a meeting here with President Mbeki. He was very concerned. I know worldwide there is a great deal of apprehension about what is going on. What do you think multilaterally could be done at this time, in the next 2 weeks and then after?

Mr. CROCKER. I am glad you mentioned the South Africans, Mr. Chairman, because they are very central. Pressures from the outside world which are not fully supported and focussed by the South Africans will be highly diluted by the time they get to Zimbabwe. This is a landlocked country which depends on its maritime coastal neighbors, principally Mozambique and South Africa. As we now from the history, going back to the bad years of Ian Smith, it was the same back then and if the South Africans were on another sheet of music, it did not work.

So we have to work closely with the South Africans and it would be helpful, I think, if our legislative bodies in both countries could be seen to be on the same page and our executive branches on the same page.

I am glad to hear what you said, Mr. Chairman, about President Mbeki's stance. The trouble is sometimes there are a variety of messages coming from South Africa about the election that is coming up and that, I think, has complicated things.

But this situation in Zimbabwe is having a dire effect on the South African economy. It is a direct threat to the prospects for investment throughout Southern Africa and I think we start with our friends in the region.

Second, Mr. Chairman, I would point to the role of the international financial agencies, which we and our industrial allies basically can shape their decisions, both positively and negatively. There has been some focus previously this morning on what we could suspend and cutoff and, of course, there are things that are in suspense already. There are not a lot of resources, if any, flowing from the IFI's to Zimbabwe today.

But looking to the future, there might come a time when we would like to be able to describe a positive, significant, substantial package for Zimbabwe under different conditions and we can also help to orchestrate that because these are clubs and institutions whose keys we control, to be quite blunt about it, and I think we

can use that leverage effectively, more effectively perhaps than we have.

Third, I would go back to my point about our British allies and the Commonwealth. The Commonwealth is an important institution for Zimbabwe. The Commonwealth is a very significant part of Zimbabwe's international relationships. But we are not a member of the Commonwealth and are not applying to join, to my knowledge, so that suggests that maybe we should be talking more closely and more operationally than we are with the British about what could be done. The British have very substantial influence and knowledge of the place, so I think we should be working together, both on immediate operational questions like land reform packages and on longer-term issues, like what do we do with this government going forward?

Mr. ROYCE. Thank you, Ambassador.

Colin Powell and I chaired an election observer team a year ago in Nigeria where I worked with Mr. Pierson, IRI, NDI, and Don Payne worked us, our Ranking Member, in that trip to Nigeria for the election and that election was a step toward full democracy in Nigeria.

The NDI and IRI have observed many elections throughout the world and one of the questions I would ask is in what instances have you declared an election unacceptable? Have you done that in the past? What were those instances? I would just be interested in hearing that. Mr. Merloe?

Mr. MERLOE. Thank you, Mr. Chairman. Yes, indeed there have been instances in the past where elections have been declared by IRI, ourselves and others, to be unacceptable. We are staring at that situation right now in Zimbabwe, to be frank with you, sir. The preelectoral conditions are critical to examining any election process and by all standards, Zimbabwe's preelection environment has failed.

The use of the media, the qualification of only one party for state funding, the situation of violence and intimidation that has restricted the ability to campaign and has intimidated citizens who make up the electorate, these are conditions that weigh very heavily. Even if election day itself is calm and goes well, we may be in a position where we will not be able to say that the will of the electorate, which provides the authority of government, has been expressed. I think it is a very grave circumstance that we look at in Zimbabwe, sir.

Mr. ROYCE. Thank you, Mr. Merloe.

Mr. Pierson?

Mr. PIERSON. Mr. Chairman, there have been instances in which IRI and NDI individually and also jointly have said that an election in a particular country did not meet international standards, was not a credible election.

Our commitment in Zimbabwe is to observe the entire process before we make a final statement but it is certainly headed in that direction in which we would make a very direct, straightforward statement relating to the intimidation, the harassment, the problems with the voter registration rolls, auditing those voter registration rolls, accreditation problems, problems with monitors being able to monitor at the polling stations and the counting centers.

A part of our planning, Mr. Chairman, before even venturing into the observation process in Zimbabwe was to make sure that the delegation team that we have going, because of the importance and the problems that are under way in Zimbabwe, has been to make sure that we have a very experienced delegation team. I think every individual, including staff from both sides of the aisle here, have observed elections in the past. We have IRI staff members going who have observed anywhere, at least from 10 to 12 on up elections, so we are very conscious of the serious, serious nature of this election process.

Mr. ROYCE. We are going to go to Mr. Don Payne and then to Dr. John Cooksey, Congressman from Louisiana, but before we do, the last question I would ask is just to name some of the countries, if you could, where elections have been found unacceptable in terms of fair and free.

Mr. PIERSON. Mr. Chairman, I would have to go back and read the statement just to make sure, but the one that does come to mind, and I know much of the team we have going to Zimbabwe is also a team that went to Azerbaijan and commented on those elections. I would like for the record to be able to expand on that but that is one country that comes to mind.

Mr. MERLOE. Mr. Chairman, if I may, it is unfortunate to say that recently there have been a number of such elections and the situation in Zimbabwe must be viewed in that context because autocrats and would-be autocrats around the world are observing very closely each other.

What we have witnessed in Peru, for example, is an election that did not meet international standards and NDI and the Carter Center, which were working jointly there, decided not to send an observation team because of that. Azerbaijan was an example, but in January of this year in Kyrgyzstan, the elections failed to meet international standards.

We believe that it is unfortunate. There has been such progress in Africa. You gave the happy example of Nigeria and the Nigerians have played an important role in our observation efforts in Zimbabwe, very important efforts that have gone forward in Namibia and in Southern Africa in general. We think this is an unfortunate retrogression and we think it is important to keep a close eye.

Mr. ROYCE. Thank you.

We will now go to Mr. Payne and then Mr. Cooksey.

Mr. PAYNE. Thank you very much.

I am sorry I missed most of the testimony but could you just quickly describe what NDI does, as opposed to IRI? I know one usually trains local people; others deal with technical parts. Could you both give me about a 30-second synopsis of what each of you do?

Mr. MERLOE. Yes, thank you, Congressman.

Mr. PAYNE. In Zimbabwe.

Mr. MERLOE. In Zimbabwe, yes, of course. In Zimbabwe, over the course of the last year and a half, NDI has worked with a broad spectrum of political parties to try to reach consensus about needed electoral reforms, including the drafting of a code of conduct, which was approved by the representatives of all parties in February 4

and 5. The executive committees of all of the parties except ZANU-PF also have signed that code of conduct, sir.

We have worked to train political party poll watchers. 740 trainers from all of the parties in all 10 provinces are now going and training poll watchers around the country.

We have taken representatives of the parties and civil society to observe elections in neighboring countries that have been competitive, such as South Africa and Mozambique.

We have concentrated our international observation of elections, in cooperation with IRI, in the preelection period, sir, through our delegation that was there in May and a team of 10 people that have been observing and will observe for some months afterwards. We plan a post-election delegation and will have several members joining the IRI international delegation.

Mr. PAYNE. Thank you.

Mr. PIERSON. Congressman, we started work in Zimbabwe in 1993. Approximately 2 years ago we felt that this democratic reform movement was really going to take shape and focus, that it was a people's movement in Zimbabwe and we quadrupled our program activities there. Those activities have ranged from support to legal coalitions in Zimbabwe to challenging executive or legislative branch rulings or decisions that would impact on human rights.

We are helping to support voter education programs in Zimbabwe. We have subgrants with organizations that are working to encourage greater woman participation in the political process, greater youth participation, and presently we are also helping to train over 3,000 domestic monitors.

We have been there for some time in the preelection period. We also, in the post-election period, through the National Endowment for Democracy, have funds in which we will train the newly elected parliamentarians.

Mr. PAYNE. Thank you.

What other groups are there, like NDI or IRI, from other donor countries? Are there others? Do you work along with other British or Scandinavian groups?

Mr. MERLOE. Yes, Congressman Payne, we are working very closely with the Commonwealth Secretariat that set up its observation mission and also the European Union, which has 110 observers that have been sent to watch this election process. They, too, have had problems with their accreditation process.

We are working, most importantly, very closely with the domestic observers that have been involved in the referendum and have been monitoring the process since then. So there is a close cooperation, not just between the two party institutes from the United States but also internationally with the observation teams and with the domestic teams.

Mr. PIERSON. Our resident director in Zimbabwe, Congressman, yesterday was a part of the briefings with the EU. We are in constant contact with all of the other international organizations that are there. Obviously frequent contact with our colleagues from the National Democratic Institute.

In terms of deployment, there are the 120 constituencies in Zimbabwe; there are approximately 4,000 polling stations. In terms of if we do get accredited and a lot of the obstacles there get sur-

mounted, then in terms of deployment, IRI, NDI delegation, where those deployments will be is also being coordinated together so we do not find just one large delegation at one or two polling stations. We are working on that; coordination is very important.

Mr. PAYNE. Thank you.

Let me just ask Dr. Crocker, when did you serve—was it 1981 to 1985 or 1985 to 1989 or——

Mr. CROCKER. All the above, Congressman Payne.

Mr. PAYNE. When were you the assistant secretary for African affairs, if there was such a title at that time?

Mr. CROCKER. 1981 through the middle of 1989.

Mr. PAYNE. OK. Then you were there at the time of the Lancaster House commitment, so to speak.

Mr. CROCKER. That was the Carter Administration that was in office at that time. That was 1979. The fall of 1979 was Lancaster House and then the early months of 1980 was the lead-up to independence, which came in April 1980. I was not yet in office until January 1981, sir.

Mr. PAYNE. So we cannot totally blame you for that one.

Mr. CROCKER. Not totally, on that one.

Mr. PAYNE. You have enough on your plate. We do not need to give you that one, right?

But since you came in shortly after that, and I am looking at some of the work done by the Congressional Research Service, which usually does a pretty objective job, it talks about this question of the land. It says Britain was obligated to finance the purchase of land from whites for redistribution in part because British subjects had initially taken the land by force, particularly because of commitments they felt were made at Lancaster House negotiations. I guess this is Mugabe's point.

Since the whole question of Lancaster House commitments is now becoming a tool that Mugabe is using to try to gain some upper hand—I mean it is a real issue—what is your recollection of what the British said they would do and what the Carter Administration said that they would do as it related to the land redistribution and compensation?

Mr. CROCKER. Congressman Payne, I do not have a photographic memory and that is quite a while ago. I think the British were in the lead position on this issue. There were probably some encouraging signals—body language and so on—sent by American diplomats, as well, that in the right context, there would be some funding for land reform, but that context would have to include a credible program, Zimbabwe program for distributing whatever land could be acquired under a willing buyer/willing seller basis and, of course, that context has never been developed.

So the issue today in Zimbabwe, if I could fast-forward for a minute, is not a shortage of land for distribution; it is absence of a governmental program that has any credibility or transparency for distributing the land that is available for distribution. Several million hectares are available for distribution and they have been identified as such. They are not even being used.

So that is not the issue. The issue is the government does not have a package, a program in place for deciding who would get it

and for administering the details of that, which is quite complicated.

I think everyone agrees there needs to be land reform in Zimbabwe but not just to cronies from the regime. I think that has been the sticking point.

The British are the experts on what they promised or did not promise and I really would have to take your question and maybe give you a written answer, look into it a bit more closely, sir.

Mr. PAYNE. Thank you.

Just one last point. When the incident between Zimbabwe and the U.S.—I think President Carter—was that during your time? Do you remember when President Carter was invited on the Fourth of July and there was some lower level—some government official made some bad remarks? When was that, do you recall?

Mr. CROCKER. That would have been about 1985. If memory serves, it was a Fourth of July ceremony and a minister of the government of Zimbabwe chose the occasion of the U.S. Fourth of July party in to U.S. Embassy to trash the United States. President Carter, to his credit, and the entire U.S. diplomatic mission walked out of their own reception.

It is not unusual, actually. There have been other cases in U.S.—Zimbabwean relations when one wondered why we were talking to each other because it was not working very well, but that was certainly one of them.

Mr. PAYNE. Thank you.

Mr. ROYCE. Mr. Cooksey and then Mr. Meeks.

Mr. COOKSEY. Thank you, Mr. Chairman, and I thank you for being here.

Could I ask a question? Ambassador Nancy Powell is no longer here. Is there anyone here from the State Department? You are from the State Department, OK.

I have been dealing with Africa about 2 hours yesterday and since 8:30 this morning, back in this room and in my office. I missed your testimony.

Questions. I, too, am concerned about the integrity of the elections. We have the same problem in Louisiana. We have a story we tell in Louisiana that we sold some old voting machines to Mexico and that Edwin Edwards won the first election in Mexico that they used them in. It is just that bad; it has been that bad in Chicago. In Miami, they overturned a Miami election, mayor's election, not too long ago.

It happens in the United States and it just makes me madder that you know what when I see people stealing elections, and they go on here and we have been the victims in Louisiana and in the United States in various places and it just makes me madder than heck that it is going on over there, too. It is the same mentality of people that are dishonest, that are demagogues, that are power-hungry and do not really care about doing the right thing.

My question then, and I want you to answer this, if we went into Nicaragua and tried to get Ortega out, who is a Communist; we went into Panama and got Noriega out, who was a drug dealer and a hood and a crook; and then we kicked the temporary ruler of Kuwait out named Saddam Hussein, and Milosevic in the Balkans, why is it that we tippy-toe in Africa?

Republicans have done it and Democrats have done it. Are all of the political leaders cowards? Why aren't they consistent? When we talk about human rights with PNTR, with China, explain to me why these wimpy politicians in the Democrat Party and the Republican Party ignore people who have had their arms cutoff in Sierra Leone, people who have been brutalized in Zimbabwe, in Mozambique, and I was in Mozambique during the last part of that civil war, and in Liberia.

Anybody want to take that question? The man from the State Department, give me an explanation. Give me an excuse for these politicians. You are not politicians; you are diplomats; you are statesmen.

But I'll tell you up front I am brutal on politicians wherever they are.

Mr. PIERSON. Congressman, I do not want to be an apologist for anyone but let me address the situation in Zimbabwe.

I think in Zimbabwe you have some of the most courageous, patriotic people that I have ever seen anywhere. I had the opportunity to live in Africa for over 7 years. 1991 I negotiated the Peace Corps bilateral agreement for Peace Corps to enter into Zimbabwe. I cannot say I am a Zimbabwe expert but I have had a long-time interest in the country——

Mr. COOKSEY. When was that?

Mr. PIERSON. 1991, sir.

I think the people there are among the most courageous,l and I am not just talking party people. I mean civil society, individuals. One of the things that has impressed me is in Zimbabwe this is not just a political party movement. This is a people's movement that is going on in which the lines are very clear between those who want democratic reform and those who do not and will suppress that democratic reform.

One of the messages that we as an organization in every country in which we operate do encourage, though, is that in a democracy, you have a peaceful transition. There have been times during the course of this where we know that the opposition and the reform individuals have brought up the possibility of violence against violence and our message has always been that we represent, we think, the best democracy in the world and in that democracy, political power is gained by dialogue, not by arms.

Now, we know that Mr. Mandela in South Africa, who has had long disagreements with Mr. Mugabe, in a statement earlier this year in Pretoria, I believe, lot a UNICEF gathering made the comment that people should take up arms against tyrants, and he was asked, "Who do you mean?" and he said, "You know who I mean," meaning Mr. Mugabe.

But I do not think there is any weakness involved. We are not talking about military action. We are not encouraging people to take up arms. What we are encouraging, Congressman, is for people who want democracy to do that in a very peaceful way and we think the idea of democracy—they may not win all the seats that they expect but as long as they are on that path, that is the path that we have always encouraged them to do.

Mr. COOKSEY. There is no question that is the best way to do it.

I am an eye surgeon. I was over there working on eye surgery. The first year I went over there I was frustrated because things were not moving as fast as a manic surgeon—we like to move quickly. After a while I kind of got into the thing, had the attitude of kudu metati and I thought, are we getting into that same mentality in this country?

Mr. PIERSON. I will let my colleague from NDI also speak, and Ambassador Crocker, but I would say we need to be very tough in terms of Zimbabwe, very, very tough. A part of that toughness already I think has been the Sense of the House Resolution from the House, the bill introduced by Senator Frist to the Africa Subcommittee on the Senate side, which is very tough legislation, and that is the kind of thing I think we ought to be looking at.

Mr. MERLOE. I will be very brief, Congressman. First, I would agree that the House Resolution 500, Senator McCain introducing an almost identical resolution in the Senate, the Senate bill that has been mentioned, these things all deserve serious consideration and the government of this country, as well as governments of other countries, I believe, have to apply the same standards everywhere, whether it is in Africa, whether it is in Latin America, whether it is in Asia or Europe, whether it is the former Soviet states or whether it is a state coming from a military dictatorship. That is what we do. That is what we try to do and all we can do is call on others to do so, as well.

Like many Members of this Subcommittee, I was one of the people who supported the movement in Zimbabwe for independence and for majority rule and there would be nothing I would like better than to bring to you a report that things are moving positively there, but they are not.

What we really should be concentrating upon and it is not too early to concentrate upon is the question of what will happen in the post-election period. Beyond these elections, there is a threat of continuing violence, no matter which way the results turn out. There is a possibility of retribution and there needs to be a strong signal from the international community coming from Washington, coming from Brussels, coming from Pretoria, that these sorts of things will not be tolerated in Zimbabwe.

I had the honor to work with President Carter just 10 days ago and former President Carazo from Costa Rica drafting a letter to the OAS calling on them to call the situation in Peru like it was and to take strong measures within the OAS.

This is a worldwide problem and it is a problem that I think we have to address with the kind of forthrightness that Members of the Subcommittee have done and to continue to be vigilant in the days and the months ahead and not to turn our attention away when elections are over.

The fortunate thing about elections is it concentrates international attention on a country as it calls upon the citizens to rise to the occasion and to act in the national interest. The unfortunate thing is that we often turn our attention away to the next problem afterwards, and there is a lot to be done in Zimbabwe. The people there, as my colleague has pointed out, deserve our support.

Mr. CROCKER. Thank you, and thank you, Mr. Chairman.

Mr. ROYCE. We will now go to Mr. Meeks.

Mr. MEEKS. Thank you, Mr. Chairman.

I am concerned in regards to making sure that there is peace, although I do not really know—I just left some young people when I left out of here and I talked to them and they just made me mindful. I am not sure whether we are the ones that can best advise on land reform because coming from descendants of slaves myself, I am still waiting for my 40 acres and a mule of land reform right here in America, and that has not happened.

So I also then was reminded therefore of a statement that President Mugabe said and I just was wondering what kind of response you would give. He said, "Land was taken from our people during colonization"—this is a direct quote. "Land was taken from our people during colonization without compensation but now the British say we must pay compensation for the soil stolen from us."

Question then is, and we did not do anything. There was a question that was asked by the gentlelady from California to the secretary beforehand or the Ambassador beforehand in regards to what was America's role in trying to make sure that there was land reform before we got to this point and I did not hear anything that we did that tried to make sure that there was a land reform and, in essence, 40 acres and a mule to individuals in Zimbabwe after the 1980 revolution in Zimbabwe, just as we did not do in our own country.

So how would you respond? What rational response would you submit that we give to Mr. Mugabe and some others who had property violently taken from them back during the colonization period of time and now some of these people who want the land back, they do not have the resources to pay for some of the land.

I understand Mr. Crocker's point that we do have to have a process; there has to be a process put in place and it cannot go to just the cronies. That point is well taken because we have to make sure, but how can we then actively play a role in that process and making a difference in regards to land reform in Zimbabwe, and responding to Mr. Mugabe's comments, also.

Mr. CROCKER. If I may, with the permission of the chair, I do not think anyone debates that land reform is a legitimate issue in Zimbabwe, but I think the second point—and clearly, land was taken from the indigenous people. That is what colonialism was about. It was about taking land and in many cases settling land. So there is no debate about the historical record. The land was stolen fair and square, just like the Panama Canal was in our own history. I do not think anyone debates that.

The issue is in 20 years, what has the government of Zimbabwe done to rectify the problem? It has done nothing, despite offers of resources and offers of land availability?

So it has been very hard, I think, for our country to figure out a context to work in, precisely as you were saying. I think we have tried and Assistant Secretary Powell described what we were doing until this thing got interrupted by the seizures of land.

But one final observation I would make is that I do not think that President Mugabe wants a solution to this problem. I think he wants to use this problem. This problem is not a new problem. Every time there has been an election in Zimbabwe since independence in 1980 there has been a land reform debate and there has

been talk about getting access to land for the majority of Zimbabweans, but it is stirred up in time for elections, Congressman Meeks. It is not, in fact, resolved because it is very convenient to use it in elections. I wish it were not the case but it is just opportunism.

Mr. PIERSON. I agree in entirety with Dr. Crocker. I think the only thing that I would add in terms of information that we have seen available to us is that much of the government land that has been available has gone to the president, President Mugabe, and to government ministers.

I believe approximately 2 months ago there was finally a confidential release and my recollection of 500 different very large plots or farms that had been available that the government had owned and my recollection, Congressman, is that all of that land had gone to ministers or ZANU official at extraordinarily low lease rates.

But I do not think there is anyone—there are very few people that would disagree in terms that the land issue is a major issue in Zimbabwe and needs to be addressed in a very practical, pragmatic way.

Mr. MERLOE. Mr. Chairman, with your permission, just a brief response.

Congressman Meeks, I totally agree with you, both about the reference to the United States history, as well as the situation in Zimbabwe.

I had the honor, with our delegation, less than 3 weeks ago to sit with Bishop Muzararwa, Reverend Sitole, the Honorable Margaret Dongo, who have brought together their political parties into the voting pact in opposition. Each of their parties has a position on land reform. As we heard from Morgan Tsvangirai, his party has a position on land reform.

I also had the opportunity to sit with the leaders of ZANU-PF and the National Democratic Institute has maintained relationships with ZANU-PF, as well as with the other parties, and they, too, talked about the fight for land reform.

I think there is a unanimity among the majority of people within Zimbabwe that land reform is critical. It has been critical as the question of independence. It is tied to the identify of the country and it is something that has to be resolved.

As members of the international community, I think we have to not be hypocritical and call upon our own countries to push for this, no matter who may be in government. So I would agree with you, sir.

Mr. MEEKS. In fact, I would say we could lead by example. Give me my 40 acres and a mule and all of my people who are descendants of slavery and then we can show them how we can have some true land reform and then maybe they can follow our example.

Thank you, Mr. Chairman.

Mr. ROYCE. That concludes our hearing and I want to thank our witnesses, our panel.

I also want to thank Charmaine Houseman. I am going to ask her to stand. I want to acknowledge her good work for this Committee because she is our staff associate for the Africa Subcommittee. She is leaving us after 2 years to attend law school and

she has done a great job and we wish Charmaine the best in law school. Thanks, Charmaine.

Thank you all for attending this hearing.

Witnesses, thanks for making the trip out here. We stand adjourned.

[Whereupon, at 12:35 p.m., the Subcommittee was adjourned.]

A P P E N D I X

JUNE 13, 2000

U.S. House of Representatives

Subcommittee on Africa

255 Ford House Office Building, Washington, D.C. 20515

For Immediate Release
June 13, 2000

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Statement of Chairman Ed Royce on Zimbabwe: Democracy on the Line

WASHINGTON, D.C. – The following is the statement by House Subcommittee on Africa Chairman Ed Royce at the beginning of Tuesday's hearing on the upcoming elections and political chaos in Zimbabwe.

"Today the Subcommittee will look at the political chaos in Zimbabwe, where legislative elections are scheduled for June 24-25. Our witnesses today will tell how President Robert Mugabe is sparing no means to maintain power for his ZANU-PF.

"Of late, we have seen the spectacle of ZANU-PF supporters attacking schools, having taken their cue from the Justice Minister, who accused teachers of 'polluting the minds' of young people. The Zimbabwe Teachers Association says at least 200 schools have been disrupted by intimidation and attack. Teachers have been dragged from their classrooms. Teachers have been stripped naked in front of their students and forced to chant pro-government slogans. Teachers have been beaten unconscious. This is instigated by a government which professes a concern for education. It is no coincidence that teachers have served as poll workers in previous elections. There can be no mistake that a message is being sent.

"It has not escaped the attention of the world that the government police have resorted to colonial-era special powers to restrict political activity. ZimRights, the country's main human rights organization, has repeatedly denounced shortcomings in the electoral process and abuses by state officials. It is clear that the Mugabe government does not desire free and fair elections.

"The political intimidation has been deadly. At least 31 persons, mostly black Movement for Democratic Change supporters, have been killed and hundreds others have been beaten, raped or forced to flee their homes. Ominously, so-called 'war veterans,' doing the government's bidding, have been deployed to Matabeleland, where they wear red berets. This is a not-so-veiled threat to renew the slaughter that the Mugabe government orchestrated there in the 1980s, which resulted in thousands of deaths, should it lose this election. I should point out that there are veterans of the war who are increasingly speaking out against the terror of these government-directed groups.

"Meanwhile, the Zimbabwe economy is collapsing. The illegal land seizures, designed to intimidate the political opposition, are accelerating the demise of an already troubled and corrupted economy. Food shortages are sure to come. The country's health services also are in crisis.

"The State Department recently said that the U.S. is 'deeply troubled that Zimbabwe's previous reputation as a law-abiding, democratic society is in jeopardy. Violence and intimidation are undermining the rule of law and the very foundation of democracy in Zimbabwe.' This isn't quite right. Sadly, the rule of law and democracy have long been compromised in post-independence Zimbabwe. It has been a de facto one-party state, where political opponents have been intimidated and physically abused. The U.S. and the international community have sowed the seeds for today's crisis, sweeping these troubling realities under the rug for years, and indulging the Mugabe government with aid. U.S. bilateral aid alone has totaled $750 million, while the Mugabe government has bought luxury properties abroad. Land reform has not been a government priority.

"The results are in. After President Mugabe has played the donors like a fiddle for twenty years, Zimbabwe is staring into the abyss.

"Today we will hear about the role that international observers will play in Zimbabwe's upcoming legislative elections. The Mugabe government is putting up roadblocks to observers; the opposition wants observers. Observers should be sent. But international election observers must be prepared to make hard-nosed judgments, calling attention to election shortcomings. The political opposition in Zimbabwe has shown tremendous courage in the face of terrifying and cowardly government attacks, while practicing non-violence. International observers have a moral obligation to honor democracy by doing their job with the highest level of integrity.

"What Zimbabwe desperately needs is a government that can promote a respect for the rule of law. Unless the political landscape is dramatically transformed, I don't see this coming about any time soon. That will be a tragedy for the vast number of Zimbabweans who are committed to peace."

Opening Statement of Rep. Barbara Lee
International Relations Subcommittee on Africa
Democracy in Zimbabwe
June 13, 2000

Good Morning. First of all, I would like to thank Chairman Royce and Ranking Member Payne for organizing this hearing.

We are here today because we are deeply concerned about the deteriorating conditions in Zimbabwe. A country that had the potential to become an African success story upon its independence two decades ago. Unfortunately, this did not happen.

A terrible campaign of violence has gripped the country. The law of violence seems to be replacing the rule of law in Zimbabwe. Supporters of the main opposition party, the Movement for Democratic Change (MDC), have been subjected to an escalating campaign of government and army-orchestrated violence and intimidation. At least, thirty people, many of them opposition supporters, have been killed in pre-election violence in the last two months, and hundreds others have been beaten or arrested. The police have taken special powers to curb rallies and racial tension has been cynically exploited.

Zimbabwe is also in the midst of the worst economic crisis since the coming of the majority rule in 1980. Half the country's workforce is unemployed, and inflation is at record levels around 60 percent. Most foreign and local investors are holding onto their money while others have voted with their feet, and key international donors have withdrawn their support.

I urge the government of Zimbabwe to stop the intimidation, killings and violence against the opposition. All political parties must be allowed to campaign anywhere in the country without any hindrance, leaving only the Zimbabweans to be the final arbiters of who governs them.

There is no justification whatsoever for any leader anywhere in the world to virtually suspend law and order so as to win an election. If the people have had enough of corruption and misrule and want change, they should be allowed to bring about that change peacefully through the ballot box.

I also welcome the willingness of the government of Zimbabwe to accept international election observers. However, it is important for international

observers to be present as early as possible before Election Day in order to observe the pre-election process.

Before I conclude, I would like to take few seconds to talk about the issue of land reform in Zimbabwe, which lies at the core of the crisis in that country. First of all, it is regrettable that people have been killed - there is absolutely no justification for the loss of human lives. The violence engulfing the land issue is also regrettable.

Zimbabwe's land problem however, does not date back to the time Mugabe lost his political credibility and wanted to regain popularity ahead of the upcoming elections. Mugabe understands the importance of land in Zimbabwe's history only too well, just as he has a clear view of what must be done to retain power.

The issue of land distribution holds the key to Zimbabwe's history, from the colonial past to the present, it remains the biggest single problem this country has yet to resolve.

Whites in colonial Rhodesia simply took the land they wanted by conquest. They paid no compensation to the Africans they dispossessed. Throughout the colonial period, the state provided enormous financial subsidies to Rhodesia's white farmers. By contrast, African agriculture was sorely neglected and confined by law to so-called native reserves and special purchase areas.

The land issue was at the heart of the liberation struggle during the Sixties and Seventies. During the negotiations to bring majority rule to Zimbabwe, known as the Lancaster House talks in 1979, the Zimbabweans saw their quest for land being forestalled. They had to accept an unacceptable Constitution, which protected and upheld the privileges of those that had colonized the country. Maintaining the status quo on the land was to be the price of independence.

It is not difficult to see why land redistribution remains such a live political issue. Today, a very small white minority, just 4,500 white farmers own 70 percent of the country's fertile land, and have repeatedly thwarted government land reform.

Land tenure reform is desperately needed and long overdue in Zimbabwe, but I feel that it should be done in a more peaceful manner - not violently as has been happening. To quote the old saying: "Two wrongs don't make a right."

Let me conclude by saying that we must not stand aloof as the situation in Zimbabwe deteriorates further because the fallout will be felt far and wide economically and socially. We must take an active role in ending the chaos and creating conditions under which free and fair elections could be held. We must also take concrete measures to right the wrongs of history on the land issue.

After all, it is in the interests of the United States and the international community that Zimbabwe remains peaceful, stable and prosperous and not a new flashpoint of so much bloodletting that has blighted most of post-independent Africa.

Thank you again, Chairman Royce and Ranking Member Payne for holding this hearing, and you, our distinguished witnesses for joining us today. I look forward to hearing your testimony.

Nancy J. Powell
Acting Assistant Secretary for African Affairs
Department of State
Zimbabwe: Democracy on the Line
Testimony before the House International Relations Subcommittee on Africa
June 13, 2000

Zimbabwe: U.S. Policy and Bilateral Relations

Mr. Chairman, thank you for the opportunity to testify on Zimbabwe. As a country that struggled successfully against white minority rule, Zimbabwe was a beacon of hope for the region and the world. The United States made a pledge to help the new state of Zimbabwe and has invested over $750 million since Zimbabwe's 1980 independence to improve the lives of all Zimbabweans. Ethnic violence erupted in the mid-1980s as the Government brutally crushed a perceived threat from the Ndebele people in the south. However, for most Zimbabweans, life got better after independence. Services and access to education expanded rapidly, and it appeared that the scars of Zimbabwe's liberation war were healing. As a friend of Zimbabwe, we deeply regret that Zimbabwe's promising future has not yet been realized.

Zimbabwe's commitment to democracy is now being severely tested, as the ruling party faces formidable competition for the first time since independence. As Zimbabwe moves into the final phase of the political campaign for the June 24-25 parliamentary elections, the country's previous reputation as a law-abiding society is in jeopardy. The political campaign has been brutal. Supporters of the ruling Zimbabwe African National Union – Patriotic Front (ZANU-PF) have staged occupations of privately-owned farms, and the Government of Zimbabwe has refused to implement court orders calling on the police to evict the occupiers. Farm workers have been forced to participate in "re-education" camps and announce their loyalty to ZANU-PF under threat of death. The ruling party has expanded its violent campaign beyond the farms to include the beating and rape of teachers, city workers, election monitors and other professionals suspected of supporting the strongest opposition party, the Movement for Democratic Change.

While violence has come from all quarters, ZANU-PF's campaign of intimidation and violence is especially worrisome because it appears to have been conceived at the highest levels of the Government of Zimbabwe. Government resources were used to transport war veterans to commercial farms that were carefully targeted for occupation. Respect for property rights, a critical component for any nation's development, has been undermined as criminals take advantage of police inaction to pillage and destroy crops and farm property. Some senior members of the Government have encouraged the violence and destruction by ignoring court orders and taking few steps to arrest and prosecute the perpetrators of violence. The Government has, in effect, abdicated its responsibility to respect and uphold the human and political rights of all Zimbabweans.

Instead, it has approached the elections as if all political opponents were traitors who do not deserve the basic protections so critical to the success of democracy. We were appalled when President Mugabe characterized all white farmers as "enemies of the state." The actions of ZANU-PF, endorsed by the Government, have polarized society and undermined the rule of law in Zimbabwe.

We have approached the Government of Zimbabwe at all levels to express our deep concerns over the violence and erosion of the rule of law. The U.S. Ambassador in Harare has met with several senior ministers to underscore U.S. concerns. We have issued public statements in Washington and Harare calling on the government to respect court orders, end illegal farm invasions, and prosecute the perpetrators of violence. We have also expressed our concerns directly through the Zimbabwean Ambassador to the United States. The United States has suspended support for Technical Support Unit of the Government's Land Reform and Redistribution Program pending a return to the principles agreed upon between donors and the Government of Zimbabwe at the 1998 donors' conference on Land Reform. We have made diplomatic approaches to other donor countries and to Zimbabwe's neighbors in the Southern African Development Community to try to bring an end to the occupations and violence, stressing that events in Zimbabwe have an effect on the entire region.

The Government of Zimbabwe has repeatedly stated that it will impose its own solution on the land reform issue, and it has amended the constitution and supporting legislation to allow it to seize 804 commercial farms without payment of full compensation. It claims that it will not pay for land that was taken from indigenous people during the colonial period, but will pay, over a period of five years, for improvements to the seized land. The Government has begun to issue notices to the identified farm owners stating that they have until July 2 to appeal the terms of the property seizures, but not the seizure itself. Zimbabwe's approach is dangerous and will discourage investment and reforms critical to the country's long term future. It is worth noting, however, that to date the Government of Zimbabwe has not confiscated any land without payment of adequate compensation.

The Government of Zimbabwe does not appear to be thinking about the long term impact that its actions will have on the country's reputation as a beacon of hope for the region and the world. It has used a legitimate issue, the need for more equitable distribution of land, as a political tool to occupy farms, incite racial tensions, intimidate rural voters and brutalize real and perceived opponents of ZANU-PF. The United States has made clear to the Government of Zimbabwe that we recognize the historical inequities in land distribution and the need for meaningful land reform. We want to resume our technical assistance program that we suspended in late March. The 1998 agreement still offers the best prospect for a fair and equitable land redistribution. The Government's apparent rejection of this agreement, which it signed after lengthy consultations with all stakeholders, suggests that it may not really seek a workable long-term solution. Instead, it may be creating a crisis designed to benefit ZANU-PF in the June 24-25 elections.

Zimbabweans are paying a terrible price. The economy has suffered. Agricultural production and tourism are way down, inflation is over 70 percent, investment has

decreased markedly, and unemployment is up. Foreign exchange reserves are down to one day's cover, and fuel and other imported commodities are in short supply.

Mr. Chairman, the headlines from Zimbabwe are not good these days but it is important to keep in mind that there has been a deepening of democracy, as ironic as that may seem, even though the government is trying to manipulate the political process for its own benefit. Democratic forces have matured in Zimbabwe. Millions of Zimbabweans demand change and the vast majority are using peaceful, democratic means to pursue it. In February of this year, a majority of voters peacefully rejected a government-sponsored constitution that would have increased presidential powers and allowed the government to seize farmland without full compensation. Zimbabwe is rich in natural resources and human capital. Zimbabweans are among the most educated and politically active people on the continent of Africa. A vibrant civil society has emerged that can serve as a long-term foundation for democratic development. A new political party has been formed that has significant support and is comprised of all racial and ethnic groups. The United States has a long-standing friendship for the people of Zimbabwe, and we intend to do everything we can to preserve and advance democratic gains, protect civil society, and help Zimbabweans to uphold the rule of law.

To this end, we believe the June 24-25 parliamentary elections are a turning point in the democratic history of Zimbabwe. The Government is facing real competition. Political apathy, which had increased in recent elections, has been reversed as Zimbabweans see a chance to change or influence the Government using democratic tools. The citizens were heartened that their views were heard during the constitutional referendum in February. U.S. Government programs in Zimbabwe have played an important role in teaching Zimbabweans how to engage and influence their government, and expand the space for democratic growth.

Conditions for free and fair elections do not yet exist in Zimbabwe. Given our concern for a credible process, even though we know the electoral foundation is flawed, we will continue our efforts to make the elections as free and fair as possible. Democracy and governance are the top priorities as jointly conceived by the U.S. Embassy in Harare and USAID for USAID's $12 million a year program in Zimbabwe. For these critical elections, the U.S. Government is funding the training of over 10,000 domestic election monitors. We are also funding training for polling officials of all political parties who will also monitor the June 24-25 elections. We are funding NGOs involved in voter education efforts to audit the voters' rolls. We are helping the semi-independent Electoral Supervisory Commission to cope with the administrative demands of election logistics. The U.S. Embassy in Harare has hosted distinguished international authorities on elections to meet with government and opposition officials and share their experiences on ways to promote credible elections. We are pursuing the assistance of the Network of Independent monitors, a KwaZulu Natal organization that will do "peace monitoring" aimed at mitigating violent confrontations in the "no-go" constituencies. We are funding human rights organizations that are documenting and protesting abuses in the current campaign. We are supporting the participation of observers from the SADC parliamentary forum. The U.S. Government has awarded grants to the National

Democratic Institute and the International Republican Institute to monitor the pre-election and election process, and U.S. Embassy officials will also monitor the elections.

We have told the Government of Zimbabwe that the United States wants to help with land reform, but that our ability to assist will depend in large part upon the holding of credible elections and a return to the principles agreed upon at the 1998 donors' conference. U.S. support for Zimbabwe in the International Financial Institutions depends on Zimbabwe's demonstrated commitment to credible economic reform. Our commitment to democracy, human rights and the rule of law will not waver.

Our long-term goal in Zimbabwe is to help build a sustainable democracy based on respect for the rule of law and protection of human rights. We seek also a market-oriented economy that attracts investment and addresses inequities, and independent institutions accountable to its citizenry. We want to see a robust civil society that can engage and influence the Government of Zimbabwe, stronger leadership in combating the HIV/AIDS pandemic and more social services to meet the needs of the poorest Zimbabweans. Almost all U.S. Government assistance to Zimbabwe, with the exception of funds to combat the HIV/AIDS epidemic, is channeled through Non-Governmental Organizations. In addition to our domestic goals, we also seek Zimbabwe's help in implementing the Lusaka Agreement to bring peace to the Democratic Republic of Congo, where Zimbabwe has deployed some 12,000 troops. With stable democratic institutions at home, Zimbabwe can once again play a role in enhancing regional stability. We look forward to working with Congress to seek a better future for all Zimbabweans.

Testimony to US House of Representatives
International Relations Committee
Sub-Committee on Africa
by Morgan Tsvangarai
President, Movement for Democratic Change, Zimbabwe

June 13, 2000

Chairman Royce and Honorable Representatives of the House International Relations Committee:

"We the people," what proud words, those words from the American constitution that symbolize a nation at one. A nation unified. I speak to you today from a land divided. I speak to you today from a land where the ruling party is waging war on its people, its economy, our future.

I appreciate the opportunity to address you today at this critical time in our nation's history.
I am a Zimbabwean who rose to the position of secretary general in the Zimbabwean Congress of Trade Unions. The longer I worked as trade unionist, the more disturbed I became by how nepotism and corruption in government was destroying the economic life of this nation. An efficient businessperson in Zimbabwe has to be a person that has a back pocket filled with bribe money to gain contracts, to get goods for export or import moved efficiently through airports and borders, to obtain permits.

What this has meant is that in the 20 years Robert Mugabe has been president of this very beautiful land there has been no job creation. The economy provided work for a million people at independence in 1980 - it has remained at that figure 20 years later, despite a reasonably high population growth. There are now 12 million Zimbabweans.

But at present, even population growth is declining and the economy is being threatened by the scourge of Africa - AIDS. And here again government has done nothing. Last year 65 000 Zimbabweans died of AIDS, six times more girl children are infected than boys - the cause in many instances is sexual abuse. We have one million AIDS orphans and yet government has built no orphanages. AIDS is taking a severe toll on this country and yet government is doing little to halt its spread. The Movement for Democratic Change will give anti-retrovirals to stop mother to child transmission; and to protect those raped; it will also begin an urgent orphanage building program. We will encourage AIDS research in this nation. AIDS should be used as a developmental tool, and not ignored and allowed to ravages this continent. The USA recently noted that the scourge of AIDS in the world posed a security threat to the USA, we agree - it poses a global security threat and

we believe those nations who fight the disease should be supported morally and economically - those who do not should be sidelined.

Until recently Zimbabwe was seen as a model in the region with a peaceful, law-abiding populace who worked hard to develop their land despite warring neighbors and a corrupt internal administration. It is important for Africa that stability is seen to be a viable option.

In September last year we formed the Movement for Democratic Change, to push for real democracy, real change to further empower and develop our people and the region.

By February, this year it was clear that our message had found resonance in the hearts of Zimbabweans. For the first time since 1980, the people of Zimbabwe spoke loudly through the ballot. They voted "no" to constitutional amendments that would have vested even more power in the hands of just one man, the president, and in this instance Robert Mugabe. Apathy had turned into courage. Disillusionment had turned to hope. And hope has instilled incredible courage in our people despite the terror being inflicted upon them at present.

The countdown to the most hotly contested elections in Zimbabwe's history has begun. The fate, not only of Zimbabweans but of every individual living in Southern Africa hinges on these elections.

The present crisis in Zimbabwe is about these parliamentary elections and that Zanu-PFs 20 year hold on the purse strings of this nation may be wrested from them. We all know the saying of how absolute power corrupts, and we see it in endless ways in Zimbabwe.
This battle is not about land but about power and the use of race as an election gimmick.

The land issue has become a pretext to unleash political violence by criminals posing as war veterans and paid by government. Since 1990, government has had the unlimited power to redistribute land - it has failed to do so. 2,5m acres of land set aside for this purpose lie fallow instead it is seizing productive farming land. Agriculture accounts for 40% of Zimbabwean GDP.

It is not only the farms of white commercial farmers that have been invaded: black commercial farmers who support the MDC have also come under attack ZanuPF had the power to acquire any land that it deemed necessary for resettlement at any time since April 18, 1990, or to put in place a strategy to resettle people. But it did not, it prevaricated until Robert Mugabe needed a tactic to distract people from long fuel queues, food shortages, a

70% interest rate, 60% inflation, increasing joblessness and poverty.

This battle is about revenge. Revenge against those who dared to question ZanuPF and Robert Mugabe. Revenge against a people who have exercised their democratic right to say "no" to tyranny. The war in Zimbabwe, and make no mistake it is a war - what else can we call it when people are raped for daring to sell MDC membership cards (we had 10 such cases reported last week); or their houses and crops burnt, their children forced from schools; people beaten to death - the most recent death was that of MDC supporter, Finos Zhau last Friday. He was taken from his home the Sunday before last, with his brother by so-called Zanu PF war veterans and taken to a place called Texas Ranch where over four days they were beaten with iron bars and sticks for daring to belong to the MDC. He died a day and a half after being released. The police have still failed to interview his brother who is recuperating in hospital.

What can we say about a man who turns on his own people and begins slaughtering them? There are plenty of examples, close to Zimbabwe's border where the world failed to act and the intensity of genocide grew. Please do not let that happen here.

The crisis being fanned by President Mugabe who only this weekend warned that land invasions would not stop, threatens the stability and prosperity of all nations in Southern Africa. There have been land invasions in Kenya and talk of them in South Africa. Markets and currencies in the region have plummeted as so-called "Afro-pessimism" takes hold among investors. This is a crisis of global proportions. Southern Africa is the breadbasket of Africa, it is the wealthiest and most successful region of a continent of sadness ... we urge you to help us ensure that it does not become the basket case of Africa.

We note with great appreciation the US Congress' recent expressions of solidarity with democratic reform activists and the people of Zimbabwe. The resolutions introduced in the House by Mr Gilman and in the Senate by Mr McCain remind us that we are not alone in our struggle from democracy and freedom.

On June 3, our party, the Movement for Democratic Change (MDC) became the first opposition party in the history of Zimbabwe to field candidates in all the nations 120 constituencies. But the road to nomination day was bloody. And so is the road to the polls. It is a long, painful road to freedom.

Our policies at the MDC are not unfamiliar to Americans. We support Franklin D Roosevelt's Five Freedoms including Freedom from Fear. An electorate should have free access to information and the capacity to debate, to argue

to disagree. Human rights flourish where all views are tolerated. Zimbabwe under Robert Mugabe has an intensely misogynist approach, we are the first political party to draft a detailed women's policy, encouraging the right of women to have full control over their bodies and their lives, and every workplace opportunity they may wish to have.

15 000 electoral observers are expected in Zimbabwe for the elections and we are in the process of training 15 000 polling agents. However, the exercise of manning polls is costly - it will cost the MDC at least $200 000. At this stage the MDC does not have the money to pay polling agents, this is a desperate situation - we need to ensure the loyalty of people to the process and pay them for the long hours they will spend at polling stations.

There will be around 5 000 polling stations in Zimbabwe. The Movement for Democratic Change is training two election agents plus a reserve to monitor voting in each constituencies - in other words: 15 000 polling agents nationwide. They have been assisted in the training of these agents - an exercise that ends this week by the US-based National Democratic Institute. This process too, has seen intimidation take place, In an instance last week, as an example, five polling agents were traveling to Harare on a bus from Muzarabani. A twincab vehicle puled in front of the bus forcing it to stop, men in ZanuPF T-shirts leapt out and dragged the five MDC polling agents off the bus, including Muzarabani MDC candidate, Peter Mukorera. They beat the men and abducted three who have not been seen since.

Violence has characterized this election process 30 MDC supporters have been slain; at least 10 000 people have been displaced - all of them MDC supporters; and hundreds of villagers have had their homes burnt to the ground and their crops and granaries destroyed. If ZanuPF wins this election, Zimbabwe will be a nation of squatters requiring food aid by this time next year. Robert Mugabe has opened Pandora's Box by allowing violent criminality to go unchecked - he will not be able to close it so easily. Southern Africa will disintegrate into violence and crime, and investors will stay away.

A year ago Southern Africa looked well on the to achieving a major economic recovery, however, the situation in Zimbabwe has destabilize the entire region leading to currency falls across the region, and investor anxiety.- which can only lead to further job losses and the rise of regional tensions.

Despite the fact that the election process is underway, government continues to change Electoral legislation, the most recent change came last week when they issued a new stipulation that electoral observers and agents must be registered to enter polling areas. No-one has yet been accredited. This has delayed the deployment of observers into violence torn areas as they sit in

Harare hotel rooms awaiting accreditation. Some observers from South Africa's ruling African National Congress party who are in a luxury Harare hotel yesterday told our officers -"but we have not seen much violence"; of course they have not, they have moved from luxury hotel to luxury hotel, it is people in rural areas who are suffering. Some South Africans have forgotten that during their own freedom struggle foreigners would come to their country and stay in luxury hotels or glorious suburbs and say, "what are black people complaining about, this country is beautiful" until some had the courage to go into burning townships, squalid squatter communities or war-torn rural areas.

We have increasing reports of people being abducted and beaten, houses burnt, their granaries and crops destroyed, women raped ...and yet there are not enough international observers most of whom are still in Harare because of ongoing government promises to accredit them. They too, are cautious about going into dangerous areas and cannot possibly hope to cover the length and breadth of this vast country.

Thousands of young people are being disenfranchised because of failures to include their names on the voters roll. In Bulawayo alone, the Movement for Democratic Change knows of 10 000 voters who registered recently who cannot find their names on the voters roll. A massive re-registration began in February this year and continued until April 16 after the United Nations last year described the voters roll as a "shambles." Contrary to electoral law voters were not given receipts to prove they had registered. It appears that it is mostly young people aged 20 to 28 who are left off the roll - precisely the sort of people, desperate for a future, who have flocked to MDC.
This relates to another problem that became apparent early in the boundary delimitation process when the government noted that Harare had 5 000 less voters than in previous elections, despite demographic data showing Harare receives an influx of 50 000 new urban residents each year. This means that the predominately opposition supporting urban area of Harare lost one constituency.

The ruling party, ZanuPF have realized they will not win the election and stopping people from voting is their desperate attempt to reduce voter turnouts and manipulate polls.

In addition to the violence they have tried many methods to defeat us. The election was first going to be in March, then April, then May, now June. There is no pretence at independence in this election. The government is the ruling party and the ruling party is the government, and those who dissent do so at their peril

Within government civil servants with integrity are cut off at the knees. Honorable police officers are transferred. One critical example is the Electoral Supervisory Commission (ESC) which is meant to supervise the elections. It is now popularly referred to as "the toothless bulldog" - nearly all of its powers have been usurped by the Ministries of Justice and Home Affairs.

This election has been complicated by the fact that nearly 100 percent of the country's electronic media is government owned. We have found it impossible to advertise on television and our application to advertise on radio has not yet received a response. There are no televised or radio debates between government and the opposition. The public only hear of us on state-owned media when the ruling party lambasts us - there is no such thing as a right of reply either, or hearing an opposing view. In addition, no opposition parties have access to public campaign finance. Only the ruling party is eligible.

We as a party, are determined to uphold the principle of the rule of law which has been so battered in Zimbabwe no-one recognizes its face anymore. Our courts are being ignored, our judges harassed. We abhor the racism of ZanuPF, we uphold the principles of non-discrimination and allowing all shades of political and popular opinion to flourish.

I am certain, Mr Chairman that all those present in the hearing today appreciate that in a democratic nation, those who are in power know that they have that privilege only at the will of the people. A government is to serve the people. Those basic principles have been completely lost here.

The symbol of our party is an open hand. Why is this? First we stand for transparency and accountability. We have nothing to hide in a clenched fist, which happens to be the salute of the ruling party. Our party has five policy priorities, one for each finger.: stabilizing the economy; resolving the land question; giving birth to a people's constitution; eradicating corruption; getting the health, social services and education systems back on their feet.

An MDC government will implement a fair electoral encourage a fair electoral system. A key component of this will be an Independent Elections Commission that will outline and perform this task. The content of a future constitution will be determined by the people of Zimbabwe, we as a party will put our submissions to it, but a constitution has to be a product of popular will and input, there will be a Constitutional Conference which will include civil society, that body will decide the form and process that the constitution making process should take. That process will then be legislated into law which will yield a draft constitution that will be put

to a referendum.

ECONOMICS

The MDC has a comprehensive plan to tackle the devastating economic problems we will face after the election.
A sagging economy, Afro-pessimism among investors, corruption and mismanagement of the fiscus, land invasions and growing violence in rural areas has 54 000 jobs disappear in the commercial and industrial sector in recent months as factories and other businesses close. Around 150 000 jobs have been lost in the agricultural sector due to land invasions and political instability in rural areas.

And yet Zimbabwe has the potential to be a developmental conduit from mineral rich southern Africa to the forests and mines of central Africa and beyond, and from the tourist friendly plains of east Africa to the wealthy oil fields of western sub-Saharan Africa.

Under ZANU-PF jobs in the formal economy stagnated at just over 1 million for 20 years. In 1980, those people represented a fifth of the population, today they are only a tenth. An estimated Z$40bn has been siphoned off into the pockets of the corrupt. Inflation has risen, the currency has devalued, shortages are common, the state of hospitals are parlous and the tourism industry, which held such promise for much needed foreign exchange and the creation of thousands of jobs has sunk to nothing with the present crisis and no potential for improving - unless the MDC come to power.

MDC will aim to free the currency and stabilize the foreign exchange crisis, however, with foreign reserves denied we will require the active assistance of the foreign community to help stabilize the economic climate. We believe we will require a minimum of US$400m in program support funds and another US$600m in support aid. In the first 30 days we plan to rework the budget, accelerate privatization, begin work a trimming expenditure and withdrawing our troops from the Democratic Republic of Congo where their purpose has been to protect diamond fields ZanuPF's ruling elite has interests in; and not to keep any fictitious peace in that land.

The MDC believes it is critical to restore the rule of law, and legal processes within the criminal justice system have to be reinforced.
The MDC is committed to a Land Commission that will see rapid land reforms, the distribution of idle land and farms planted with crops that ensure maximum returns to farmers. The MDC will also introduce methods to ensure rapid access to local, regional and forcing markets to further extend productivity, profitability and maximum employment in farming and rural areas.

There is still sufficient time for planting to commence to ensure good crops in 2001, and to diminish the food shortages that are expected to be felt from September this year, if an MDC government does not get into power and investor confidence fails to return.
There is huge potential in forestry projects and the MDC will implement a major forestation project, which in turn will require the skills of hundreds of young people to plant and maintain plantations.

The MDC plans to sink Z$10billion into housing in the first 18 months that it is in power through secondary mortgage markets - and will build at least 200 000 core units within that time. MDC economists say this creates a multiplier effect of some Z$60billion of new investment in the domestic economy - through the purchase of bricks, construction materials and other housing needs - and will in turn create at least 20 000 new jobs.

Telecommunications must be privatized. This in turn will lead to the development of a high tech industry which is a natural generator of jobs in Zimbabwe's relatively well-educated, literate populace. An MDC government will undertake this task and put in place a regulator to ensure that the needs of consumers are protected. We believe Zimbabwe has the potential to become a regional leader in the field of telecommunications and information technology.

Within 30 days of coming to power the MDC will present a new budget to parliament. This budget statement will set out the new government's vision for the future, the state or uehave to review the tax structure and overhaul the budget, with a particular emphasis on equity and privatization and lightening the heavy tax burden on ordinary folk. Provision will be made for incentives to participate in the privatization process and to encourage exports.
While the key objective of an MDC administration will be to restore macro economic stability and to resolve shortages, funding for both education and health services will be comprehensively reviewed to ensure delivery of these essential services.
By creating a friendly and transparent environment for investors, within a sound economy in a regional free market we believe that foreign direct investment will return and increase and that those skilled Zimbabweans who left the country to seek work elsewhere will return to help build the country.

We in the MDC appreciate this opportunity to address such a distinguished gathering. We hope that we too will one day know what it is like to be a land of the free. Next time we speak I hope to look from my window over the purple jacaranda of Harare, to the far distance where Great Zimbabwe is crumbling, I hope to be able to say, thank you my friends for helping us to build a new, Great Zimbabwe. I hope to be able to say, thank God, we are free, free at last.

NOTES ON ZIMBABWE

C.A. Crocker

June 13, 2000

Before Sub-Committee on Africa
House International Relations Committee

It is a pleasure to appear before this committee to discuss the dramatic and tragic situation in Zimbabwe. I have a few opening comments and then will be happy to respond to questions. I first visited Zimbabwe some 33 years ago, at about the time when the national liberation war against minority rule was getting started. I've been there many times since then. Zimbabwe has often seemed a troubled land. The battle over majority rule was bitter and bloody. Shortly after independence in 1980 there were other bloody episodes as the governing ZANU-PF party consolidated its rule, using foreign troops to smash the power base of another, rival political party. While the country's political life has featured the trappings of democratic practice, the reality of its elections has frequently included the arbitrary use of official power, an uneven playing field for opposition candidates, and the occasional resort to tactics of intimidation. But until the late 1990s, these practices remained within certain limits. Gradually, it seemed that a semblance of tranquillity and decency came to Zimbabwe. This may have been due, in part, to the fact that until recently Zimbabweans have not been in a position to mount a serious challenge to the de facto one-party rule they have lived under for the past 20 years (a situation reflected in the parliament where ZANU-PF controls all but 3 seats out of 150).

The situation today is quite different. I said earlier that it is dramatic: we are some ten days away from one of the most important elections in modern African history. Opposition candidates will run in all 120 open constituencies. Hundreds if not thousands of local and foreign observers will be watching, including representatives from Zimbabwe's important civil society and from such organizations as the EU, SADC, the Commonwealth, the OAU and a range of external civil society bodies – some of which will testify this morning. There is excitement in the air because a government-sponsored constitutional referendum failed a few months ago, suggesting the possibility of a real challenge to ZANU-PF domination. The upcoming election will take place against a backdrop of government-sanctioned and sponsored violence directed against farm workers (that is rural African voters), farm owners, and opposition leaders in which there have been some 28 deaths and a widespread pattern of brutal intimidation by so-called "veterans" of the struggle for majority rule. The situation is so severe that one stands in awe of the sheer courage and conviction of unarmed oppositionists who have the guts to stand up to a regime which increasingly lives by the gun. These impressive leaders have come together from a wide range of backgrounds – the free trade union movement, the law, journalism, grass roots human rights advocacy, womens groups – united in the belief that it is possible for Zimbabwe to have peaceful , democratic political change. Yet, as Amnesty International has reminded us in recent days, there is "a pervasive atmosphere of fear and intimidation which in turn is hampering the rights to freedom of assembly, association, movement and expression"; the National Democratic Institute has declared that conditions for a credible democratic election do not now exist.

Mr. Chairman, I said earlier that this is a tragic as well as a dramatic situation. This need not have happened. Zimbabwe is a beautiful land with rich resources, most especially its people who are skilled and accomplished in many fields. Zimbabwe's industrial and commercial farming sectors have, until recently, been a source of regional dynamism, making the country a significant commodity and food exporter and a key economic partner for all its neighbors including South Africa. Zimbabwe's political leadership which has been in power since 1980 also had a record of some accomplishment, at least until recently. While economic growth has been uneven during these 20 years and the government has never been what we would call "market friendly", there was a pragmatic streak to government policies in the political and economic arena. We are talking, after all, about the second most important economy in the sub-region, a pivot for regional integration and development, and a nation whose institutions have at times played an important and constructive regional role. Sadly, those legacies have gone out the window. Zimbabwe's policies of pragmatism, reconciliation and regional cooperation have been replaced by the politics of greedy adventurism in the region – most notably, of course in the Congo – and the politics of envy and racial scapegoating at home.

But let us be very clear about the real problem. No matter what President Mugabe and his lieutenants may declare publicly, Zimbabwe's troubles are of their own making. The problem is not land ownership or colonial legacies or the continuing place of whites in the agricultural economy. The problem is that Mugabe and his key associates fear losing power in a democratic election in which their adversaries are fellow black Zimbabweans. Everything else is a pure and simple cover story, the playing of race cards by an embattled regime. This is not the way Robert

Mugabe began his career as Zimbabwe's first elected leader in 1980 when he sent signals of reconciliation to all his fellow citizens. I have known Robert Mugabe and have met with him on and off over these 20 years. I respect him. He has made substantial contributions to his nation's liberation, its development, and the that of the Southern African region. We have often differed on some major issues. But this is a man of substance, intelligence and deep conviction. It is tragic that his fear of losing power is crowding out those other qualities.

Mr. Chairman, events in Zimbabwe need to be understood in their full regional significance. This drama has the potential to shape the evolution of an entire sub-continent, just like the earlier events which we so badly mishandled in Rwanda and then those in Congo which flowed from Rwanda and which – not coincidentally – started us down the slippery slope with Zimbabwe. Zimbabwe's intervention there appears based on a mixture of classic state motivations in a power vacuum situation and the motives of an adventurous, greedy and somewhat isolated regime. Today, Zimbabwe's possible implosion into autocratic disorder affects Africa's fragile state system and the highly vulnerable economies across the sub-Saharan region. Already, events in Zimbabwe are having dire regional consequences as its capacity to export commodities and minerals declines and its capacity to import vitally needed oil, spare parts, electric power collapses. Tourism, a major regional driver, is drying up. The awful reverberations of Zimbabwe's official race-baiting and threats to property have literally driven down South Africa's rand by 10-15%. The climate for business is heading south through sub-Saharan Africa, and fast.

Well, if the stakes are large, what are we doing about it? My impression is that we are wringing our hands, hoping the South Africans will somehow rescue the situation, talking the talk about democratic norms and principles, and avoiding doing anything much to shape events – either alone or with our partners in Africa and Europe. One senses a palpable preoccupation with not giving offense to anyone who might be offended by plain speaking. I would suggest to you that things have deteriorated to a point where there are no easy and attractive options left. There are two avenues we could follow:

– One, we could do our best to press for an open and fair election process but resign ourselves in practice to the likelihood of a stolen or substantially bent outcome. Of course, we might get lucky and witness an electoral upset in which the ZANU-PF dominated parliament is replaced by a genuine multiparty result and the regime respects that outcome and shares power. I would not bet on this scenario, Mr. Chairman. Assuming that violent intimidation and police state tactics work, we could accept that reality and decide to work with it. This would mean actively engaging Mugabe and his team with a conditional strategy, using both stick and carrot to move them back from the edge of their self-destructive orgy. This will not be easy to do and it may not be pretty to watch. The goal, of course, would be to salvage a regionally dangerous situation and move the country's leadership back within the pale of minimally acceptable conduct. However unappealing such a strategy in terms of our political values, this course is strongly to be preferred to one of self-isolating, petulant ostracism which only marginalizes our own voice and influence.

– the other choice is to work through all appropriate channels for a change in power in Zimbabwe after a flawed election, resigning ourselves to the likelihood that Zimbabwe is slated to become Africa's Romania and Mugabe its Ceausescu. That regime, it will be recalled, was ended by the actions of the people of Romania, and the same may ultimately happen in Zimbabwe if the recent patterns of official conduct continue. Hence, our role under this approach ought to be maximally discreet and low key in order to avoid giving the Mugabe regime the sort of external adversary which dying, authoritarian regimes crave in order to stave off their inevitable demise. Under this approach, we would treat Zimbabwe like the pariah it appears almost to want to be, disengage from official relationships and government-to-government programming of any sort, and wait for the pressures to mount ... helping where we can without distorting the political equation.

In conclusion, Mr Chairman, I have outlined the setting and a couple of ways of thinking about it. My own instincts are towards engagement because there is a lot at stake and I have limited confidence that letting nature take its course will produce early, positive change. But, whichever course we adopt, it must be only after the most careful, practical and detailed consultation with our British allies whose knowledge and influence probably exceed our own, as well as with the South Africans, Zambians, Mozambicans and others in the region. This is a case where the current American penchant for sloppy unilateralism and photo-op foreign policy making needs to be brought under some semblance of control so that we can work effectively with others.

THE LACK OF CONDITIONS FOR CREDIBLE DEMOCRATIC ELECTIONS IN ZIMBABWE

Statement of Patrick Merloe

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before the

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON INTERNATIONAL RELATIONS
SUBCOMMITTEE ON AFRICA

June 13, 2000

Mr. Chairman, Members of the Subcommittee, thank you for this opportunity to comment on the troubled electoral and political processes surrounding the June 24-25, 2000, parliamentary elections in Zimbabwe.

Zimbabwe is a pivotal country in southern Africa, and its democratic development is of exceptional importance to Africa and beyond. The international community supported the people of Zimbabwe in their quest for independence and majority rule. Today, people around the world continue to support those striving in Zimbabwe to promote democracy, the rule of law and the protection of human rights.

Zimbabwe's parliamentary elections, to be held in less than two weeks, present a critical test for the country's democratic development. This is the first time that the ruling political party, ZANU-PF, is facing a serious electoral challenge. Following the surprise defeat of the government-sponsored constitutional referendum in February of this year, widespread political violence was directed at members of opposition political parties and opposition supporters. At the same time, opposition and ruling parties began to organize for the upcoming elections. When an election date was announced, leaders across the political spectrum expressed a desire to go forward with the electoral process in hopes of eventually bringing the violence to an end.

The National Democratic Institute for International Affairs (NDI) received requests from a variety of Zimbabwean political and civic leaders to monitor electoral developments. NDI has been working in Zimbabwe since February 1999, through support from the National Endowment for Democracy (NED) and the U.S. Agency for International Development (USAID), to promote dialogue among all of the major political parties in order to reach a common understanding of basic aspects of electoral reform needed to hold credible elections. As part of this work, the Institute designed a "Political Leadership Program" that took members of civil society, political parties and election authorities to neighboring countries to observe and learn from some of the more competitive elections in the region, including South Africa and Mozambique. On February 4-5, 2000, the program brought together leaders of all

major political parties in a roundtable, where they drafted a code of conduct for the parliamentary elections. The code of conduct was approved at the roundtable and subsequently ratified by all participating political parties except ZANU-PF. In the next phase of the program, NDI conducted 30 workshops in which trainers from all contesting political parties were trained. A total of 720 party representatives participated in the workshops, which were held in Zimbabwe's 10 provinces. Those trainers are training party pollwatchers throughout the country. It was in this context that NDI received requests to observe Zimbabwe's election process. In close cooperation with the International Republican Institute (IRI) and other international and Zimbabwean observer groups, NDI agreed to do so.

NDI then organized a multinational pre-election delegation that visited Zimbabwe from May 15-22, 2000. The delegation was led by the Hon. Alex Ekwueme, Vice President of Nigeria from 1979-1983 and current Chairman of the Board of Trustees of the People's Democratic Party of Nigeria, and included: Hon. Michael Hishikushitja, Member of Namibia's National Council and Deputy Chief Whip for SWAPO; Hon. Charity Kaluki Ngilu, Member of the Kenya National Assembly and Leader of Kenya's Social Democratic Party; Hon. Abdul Carimo Issa, former Deputy President of the Assembly of the Republic of Mozambique; Hon. Audrey McLaughlin, former member of the Parliament of Canada, Leader of Canada's New Democratic Party and past President of the Socialist International Women; I also was a member of the delegation. The delegation's technical advisors included: Professor Mandla Mchunu, Chief Electoral Officer of the Independent Election Commission of South Africa; Patricia Keefer, NDI Regional Director for Southern Africa; and Richard Klein, NDI Senior Program Officer.

Since that time, NDI has maintained its in-country staff and added a 10-person long-term observation group that has been deployed at points around Zimbabwe. The Institute plans to release a report by the end of this week, based on the work of NDI's Zimbabwe long-term observer project. Copies of the report will be provided to Members of the Subcommittee.

POLITICALLY-MOTIVATED VIOLENCE

Mr. Chairman, Members of the Subcommittee were supplied with a copy of NDI's pre-election delegation's 17-page statement, issued in Harare on May 22, 2000. It is also included as Appendix I to this prepared statement. The delegation concluded that the conditions for credible democratic elections did not exist at that time.

Regrettably, the conditions for credible elections still have not been established in Zimbabwe. While there have been certain improvements in the electoral environment, critical problems remain and new ones have emerged. Irreparable damage has been done to public confidence, particularly as a result of politically-motivated violence and the lack of government action against violence, which has created an air of impunity that adds to anxiety and fear.

The effects of violence and attempts at political intimidation have undermined trust among many Zimbabweans in the secrecy of the ballot and have raised fears of retribution for voting against the ruling political party. Cases of men, women and children being beaten and in some instances tortured (including cases of rape), could have far-reaching effects in a society that is not long-removed from the tragedy and suffering of the 1980's "Gukurahundi" ("wipe out everything") campaign. These factors could affect voters' decisions about whether to vote and for whom to vote on June 24-25.

The NDI delegation found that political violence over the period since Zimbabwe's February 2000 has substantially restricted the exercise of freedoms of opinion, expression, association, assembly and movement, as well as the right to be secure from physical harm due to political affiliation. The abilities of political parties and many candidates, predominately from the opposition, to campaign openly and freely do not meet international standards for fair electoral competition.

The electoral conditions fail to meet requirements contained in The Declaration of Rights of the Constitution of Zimbabwe and electoral standards based upon international instruments, such as the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, which are applicable to Zimbabwe. The level of violations of civil and political rights in Zimbabwe's election context led Amnesty International to issue on June 1, 2000, a release entitled "Zimbabwe: A human rights brief for election observers," and a June 6, 2000, report entitled "Zimbabwe: Terror tactics in the run-up to parliamentary elections, June 2000."

Although political violence appears to have diminished somewhat during the past month, it continues at tragically high levels. An atmosphere of fear still prevails over much of the country. This undermines the credibility of the election process. Levels of political violence and intimidation are especially high in the north and central parts of the country and in rural areas. In many of these areas, the intimidation of voters is impeding the ability of citizens to express their support for their favored candidates. Violence and the threat of violence directed against candidates and party activists are, in some areas, preventing them from campaigning. While supporters of the ruling party, ZANU-PF, and of opposition parties have been victims of political violence, the overwhelming numbers of victims have been supporters of the opposition.

ELECTORAL FRAMEWORK

While Zimbabwe's election authorities have a demonstrated ability to organize the administrative aspect of elections, there are serious problems in the legal framework for the elections. Prior to the February 2000 constitutional referendum there was a consensus across the political spectrum that an independent election commission was needed to organize credible elections. Following the defeat of the referendum, the elections were called, however, without instituting that electoral reform.

There are also critical problems concerning a "level playing field," such as news bias favoring the ruling party and qualification requirements for state funding that result in only the ruling party receiving such financing. The compressed electoral calendar raised issues for meeting the requirements and spirit of the law, for example, concerning equality of access to information on the delimitation of parliamentary constituencies. On the positive side, the nomination process has been concluded with few complaints from the political parties despite apprehensions expressed by opposition parties that their candidates might be blocked from the process.

Changes in the law, as well as creation of a new Voters' Rolls based on this year's registration drive and merging of databases may lead to numerous inaccuracies and missing information on the Voters' Roll that could prevent large numbers of Zimbabweans from voting in the upcoming elections. In addition, inspection of the Voters' Roll has been marked by confusion. Election authorities improved the inspection process by increasing the number

of locations at which citizens could inspect the roll and by providing easy access to it, but there is not sufficient transparency to ensure citizens that needed corrections will be made. Concerns therefore remain as to whether large numbers of prospective voters will be disenfranchised on June 24-25 due to problems with the Voters' Rolls, and there are fears in opposition parties that their supporters will be disproportionately affected because of electoral manipulation.

Government owned and operated media, which has a monopoly on radio and television broadcasting in Zimbabwe, continue to provide biased coverage of the campaign. Reports of media monitoring organizations consistently indicate that government-controlled media portrays the ruling party, ZANU-PF, in a favorable light, while it emphasizes negative stories about opposition parties. ZBC, the government-operated television station will allocate a very limited amount of time to each contesting party in the closing days of the campaign. It will also permit opposition parties to purchase advertising time.

There is a critical need for large-scale voter education by electoral authorities. Issues to be addressed in such an education campaign include secrecy of the vote; electoral rights of voters; and the importance of inspecting the Voters' Rolls. There is also a critical need for voters to learn about the political party manifestos. However, the government has made little effort to assure voters that their ballots will be secret. Much more needs to be done to counteract the effects of the pervasive political violence and intimidation. Citizens in rural areas, where approximately 65 percent of the population resides, remain fearful and suspicious that they will be subject to reprisals for freely exercising their right to vote for the parties and candidates of their choice. Voter education is especially important in rural areas where citizens have little or no access to news that is not government-controlled.

The roles of international and domestic election observers are especially important in situations where there has been pervasive violence, and when peoples' confidence in the secrecy of the vote has been undermined. Although the government of Zimbabwe extended invitations to several international observer delegations, substantial confusion surrounded their arrival. The failure of the government to adopt regulations for international observers and domestic monitors until June 7 resulted in delays for some delegations in sending observers to the field to observe and report on the pre-election environment. The delays were especially unfortunate since they prevented many delegates from observing, except in Harare, the nomination of candidates and the initial days of inspecting the Voters' Rolls.

Domestic monitors have expressed concerns that the new regulations are unnecessarily burdensome and may prevent them from effectively monitoring the polls. In particular, these regulations shift responsibility for the accreditation of monitors from the Electoral Supervisory Commission (ESC), with whom domestic groups have been working since March, to the Office of the Registrar-General. The regulations also permit the Registrar-General to require that all domestic monitors undergo training either conducted or approved by the Registrar-General. These organizations have already invested considerable time and money conducting training, approved by the ESC, for their monitors on how to observe the electoral process. A new training requirement -- with just 11 days or less remaining before the elections -- could derail domestic monitoring efforts. In addition, the regulations do not permit monitors to ride in the vehicles that will be transporting ballot boxes to the locations where they will be counted, which will deny them access to a critical link in the chain of ballot security.

CONTINUING DESIRE FOR CREDIBLE ELECTIONS ON JUNE 24-25

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Despite serious obstacles, political parties and the population in general have accepted the June 24-25 election dates in the hope that this troubled period in Zimbabwe may come to an end. Political parties and candidates are contesting the elections. Zimbabwean citizens are mobilizing in large numbers to act as election monitors and observers. Electoral authorities are preparing for the election dates. Citizens are continuing to express their desire for a meaningful election process that can be accepted by the ruling political party and opposition political parties alike, as well as by the electorate. For these reasons, the election process warrants heightened observation by the international community in an effort to support a meaningful election process, which observation should be conducted in the spirit of international cooperation and in respect for the right of the people of Zimbabwe to determine freely who shall govern.

International experience demonstrates that in countries like Zimbabwe, where violence and fear undermine the credibility of elections, it is necessary to go beyond the minimum requirements of the election law to build sufficient public confidence in the process, so that the elections might be accepted by the political parties and voters. This is all the more important when the legal framework for elections contains serious deficiencies. In order to establish such public confidence, it is often necessary to take extraordinary steps to promote electoral rights and open dialogue among the political contestants to agree on minimum rules for the competition.

It is unfortunate that to date such concerted efforts have not been taken. The elections are only 11 days away, but improvements in the election process are still possible. Swift action by government and electoral authorities is needed to establish public confidence in the electoral process. As every day passes, there is less opportunity to establish the conditions needed to hold meaningful elections. It is hoped that the responsible authorities will nonetheless act on advanced recommendations by NDI, other representatives of the international community and Zimbabwean election observers to ensure peaceful election days and to prevent post-election political violence.

APPENDIX I

STATEMENT OF THE NATIONAL DEMOCRATIC INSTITUTE (NDI) PRE-ELECTION DELEGATION TO ZIMBABWE

Harare, May 22, 2000

I. INTRODUCTION

This statement is offered by an international pre-election delegation to Zimbabwe, organized by the National Democratic Institute for International Affairs (NDI). The delegation visited Zimbabwe from May 15 through May 22, 2000.

NDI is a nongovernmental organization that promotes democracy worldwide. The Institute has conducted impartial pre-election, election-day and post-election observation delegations in more than 50 countries in Africa and around the globe. The purposes of this

delegation were to express the support of the international community for a democratic election process in Zimbabwe and to assess the political environment surrounding the upcoming elections, as well as the state of electoral preparations.

The delegation was led by the Hon. Alex Ekwueme, Vice President of Nigeria from 1979-1983 and current Chairman of the Board of Trustees of the People's Democratic Party of Nigeria, and included: Hon. Michael Hishikushitja, Member of Namibia's National Council and Deputy Chief Whip for SWAPO; Hon. Charity Kaluki Ngilu, Member of the Kenya National Assembly and Leader of Kenya's Social Democratic Party; Hon. Abdul Carimo Issa, former Deputy President of the Assembly of the Republic of Mozambique; Hon. Audrey McLaughlin, former member of the Parliament of Canada, Leader of Canada's New Democratic Party and past President of the Socialist International Women; Patrick Merloe, NDI Senior Associate and Director of Programs on Elections and Political Processes. The delegation's technical advisors included: Professor Mandla Mchunu, Chief Electoral Officer of the Independent Election Commission of South Africa; Patricia Keefer, NDI Regional Director for Southern Africa; and Richard Klein, NDI Senior Program Officer. The delegation also was assisted by David Kovick, NDI Program Officer in Zimbabwe; Thabisile Mngadi, NDI Program Director in Mozambique, and Leanne Smith, NDI Regional Coordinator.

The delegation conducted its activities according to international standards for nonpartisan international election observation and Zimbabwean law. NDI does not seek to interfere in Zimbabwe's election process nor, at this juncture, to make a final assessment about the overall process. NDI recognizes that, ultimately, it will be the people of Zimbabwe who will determine the credibility of the elections and of the resulting parliament.

SUMMARY OF OBSERVATIONS

The conditions for credible democratic elections do not exist in Zimbabwe at this time. Political violence over the period since Zimbabwe's February 2000 constitutional referendum has claimed 23 lives, caused over 100 injuries and resulted in substantial property damage. The violence has created an atmosphere of anxiety and fear. It has substantially restricted the exercise of freedoms of opinion, expression, association, assembly and movement, as well as the right to be secure from physical harm due to political affiliation. The abilities of political parties and many candidates, predominately from the opposition, to campaign openly and freely do not meet international standards for fair electoral competition.

The effects of violence and attempts at political intimidation have undermined trust among many Zimbabweans in the secrecy of the ballot and have raised fears of retribution for voting against the ruling political party. Cases of men, women and children being beaten and in some instances tortured (including eight documented cases of rape), could have far-reaching effects in a society that is not long-removed from the tragedy and suffering of the 1980's "Gukurahundi" ("wipe out everything") campaign. These factors could affect voters' decisions about whether to vote and for whom to vote.

These conditions appear to be the product of acute political polarization and intolerance. The electoral conditions fail to meet requirements contained in The Declaration of Rights of the Constitution of Zimbabwe and electoral standards based upon international instruments, such as the Universal Declaration of Human Rights and the African Charter on

Human and People's Rights, which are applicable to Zimbabwe.

There are also problems in the electoral framework concerning a "level playing field," such as news bias favoring the ruling party and qualification requirements for state funding that result in only the ruling party receiving such financing. The compressed electoral calendar raises issues for meeting the requirements and spirit of the law, concerning equality of access to information on the delimitation of parliamentary constituencies. Changes in the law, as well as creation of a new Voters' Rolls based on this year's registration drive and merging of databases, require adequate time and opportunity for public inspection of the rolls. In addition, there is a need for large-scale voter education by electoral authorities. Issues to be addressed in such an education campaign include secrecy of the vote; electoral rights of voters; and the importance of inspecting the Voters' Rolls. Opportunities should also be provided for voters to learn about the political party manifestos.

Despite serious obstacles, political parties and the population in general have accepted the June 24-25 election dates in the hope that this troubled period may come to an end. Political parties and candidates are contesting the elections. Zimbabwean citizens are mobilizing in large numbers to act as election monitors and observers. Electoral authorities are preparing for the election dates, based on a demonstrated ability to conduct the technical and administrative aspects of elections. Citizens are expressing their desire for a meaningful election process that can be accepted by the ruling political party and opposition political parties alike, as well as by the electorate. For these reasons, the election process warrants heightened observation by the international community in an effort to support a meaningful election process, which observation should be conducted in the spirit of international cooperation and in respect for the right of the people of Zimbabwe to determine freely who shall govern.

International experience demonstrates that in countries like Zimbabwe, where violence and fear undermine the credibility of elections, it is necessary to go beyond the minimum requirements of the election law to build sufficient public confidence in the process, so that the elections might be accepted by the political parties and voters. This is all the more important when the legal framework for elections contains serious deficiencies. In order to establish such public confidence, it is often necessary to take extraordinary steps to promote electoral rights and open dialogue among the political contestants to agree on minimum rules for the competition.

The elections are just 33 days away; immediate and concerted efforts are therefore required to make improvements to the political environment and to ensure adequate resources for electoral authorities to complete their tasks properly and effectively, as mandated in the Constitution and Electoral Act. A number of important steps can be taken with the limited resources available and within the scant time remaining before the elections. The delegation therefore respectfully offers a series of recommendations in the last section of this report.

II. THE DELEGATION AND ITS WORK

The delegation was welcomed by leaders of all Zimbabwean political parties and civic organizations. It conducted its work through a series of more than 30 meetings in Harare, Bindura and Bulawayo. In all three cities, the delegation met with a wide range of

representatives of: the Government of Zimbabwe, including the Minister of Home Affairs and the Attorney General; election authorities, including the Registrar General, the Electoral Supervisory Commission (ESC) and the Chairperson of the Delimitation Commission; leaders of the ruling and opposition political parties, including ZANU-PF, MDC, member parties of the Voting Pact - ZANU (Ndonga), United Parties, and Zimbabwe Union of Democrats, and ZAPU; civil society, trade union, business and religious leaders; war veterans; and representatives of the international community, including the Commonwealth and the European Union. The delegation would like to express its deep appreciation to all of those who took time to share their views.

In addition, the delegation reviewed the Constitution of Zimbabwe and Electoral Act, both as amended to date, the proposed Draft Constitution of 2000, the Law and Order (Maintenance) Act, the Broadcasting Act, reports of Zimbabwean election monitoring groups, news reports and materials provided by organizations with which it met.

International Standards for Democratic Elections. In addition to the requirements of Zimbabwe's Constitution, Electoral Act and related laws, the delegation considered international standards for democratic elections and accepted practices that have emerged to meet such standards.

International standards for democratic elections are based on the proposition – set forth in the Universal Declaration of Human Rights (Article 21) and in all other major human rights documents – that the authority to govern derives from the will of the people of a country, and their will must be demonstrated through genuinely democratic elections, conducted by equal suffrage and a secret ballot. Article 21 also provides that every citizen (regardless of gender), has the right to participate in government directly, as well as through freely chosen representatives. This requires the opportunity, without political discrimination or unreasonable restriction, to stand for office, as well as to freely cast a ballot.

The exercise of the right to democratic elections cannot be realized without the exercise of related fundamental human rights, including the right to freedoms of opinion, expression (including to seek, receive and impart information), association, assembly, movement, equality before the law and due process of law (including equal protection of the law and to an effective remedy for violations of rights), as well as to life, liberty and security of the person. These rights are not only applicable in Zimbabwe through international obligations; they are applicable directly through the Constitution of Zimbabwe (Articles 11-26, "The Declaration of Rights").

In an election context these rights have led to a number of international standards, that among other things, require:

- a sound legal framework and an impartial and effective election administration that conducts its activities open manner;
- a legal process that is impartial and capable of providing effective remedies;
- freedom to associate into political parties, legal recognition of parties and qualification of parties and candi for the ballot, free from unreasonable or arbitrary restrictions and free of discrimination prohibited by international human rights instruments;
- voting by secret ballot, based on universal and equal suffrage – and a genuine opportunity to exercise this ri free from unreasonable or arbitrary restrictions and discrimination prohibited by international human rights instruments; and
- an electoral environment in which political parties and candidates are free to express their messages to the p

and have an adequate opportunity to do so, including equitable access to and fair treatment by the mass media, as well as the freedom and opportunity to organize peaceful assemblies and other demonstrations of public support and to move freely throughout the country to seek votes.

In addition, the electorate must be free and able to receive adequate and accurate information upon which to make an informed political choice and be free to exercise that choice without fear, intimidation or bribery. Also, the machinery of the state must remain neutral and its resources must be used for the benefit of the electorate, rather than for the benefit or detriment of any of the political contestants.

No electoral process is perfect – all require ongoing improvements – but the degree to which the election and political processes fall short of these standards will determine whether or not the elections are credible. Genuine democratic elections also require that the public, including the political contestants (parties and candidates), have confidence that the results of the elections will reflect accurately the free choice of the voters and that the outcome will be respected.

III. THE ELECTORAL CONTEXT

An accurate and complete assessment of any election must take into account all aspects of the electoral process. These include: 1) conditions set up by the legal framework for the elections; 2) the pre-election period before and during the campaign; 3) the voting process; 4) the counting process; 5) the tabulation of results; 6) the investigation and resolution of complaints; and 7) the conditions surrounding the formation of a new government. This delegation, therefore, is not making a final assessment of Zimbabwe's election process.

At the same time, no election can be viewed in isolation of the political context in which it takes place. The pre-election period, including electoral preparations and the political environment, must be given considerable weight when evaluating the democratic nature of elections, because this period is central to democratic electoral competition. This is the time when citizens become keenly aware of their power to select representatives to carry the electorate's mandate to govern. Political parties and candidates mobilize their supporters in a test of political pluralism, as they compete for votes.

A. The Legal Framework for Elections

The legal framework for the elections is provided by the Constitution of Zimbabwe, principally through Articles 58-61 (on elections) and Articles 11-26 ("The Declaration of Rights"), the Electoral Act and related laws, such as the Law and Order (Maintenance) Act. While the legal framework has provided the basis for several elections, it contains serious deficiencies. It sets up significant overlaps among electoral authorities, possibilities for duplication of efforts and insufficient transparency and guarantees of impartiality. Agreement had been reached among political and civic leaders on the need for changes to the legal framework, such as the creation of an independent election commission. Regrettably, the time-frame for the elections and the political environment do not allow such matters to be considered at this time.

The President issued a proclamation on April 11 dissolving Parliament. Article 58 of the Constitution thereby requires that elections be held by August 11, four months from the proclamation. On May 15, he set the election dates for June 24-25, which falls within the

prescribed period. All of the major political parties have accepted the election dates, while opposition parties have done so with deep reservations about the election process.

The Delimitation Process. The Delimitation Commission was appointed by the President on March 28, well beyond the "five-yearly interval" called for in Article 59(4) of the Constitution. The Delimitation Commission received the preliminary voters' register on April 25 and began its work. Article 60(8) of the Constitution provides that following completion of the report of the Delimitation Commission, the President shall issue a proclamation declaring the names and boundaries of constituencies for the Parliamentary election.

To date, the report of the Delimitation Commission has not been submitted, and the President therefore has not proclaimed the names and boundaries of the parliamentary constituencies. The Chairman of the Delimitation Commission regularly briefs the Minister of Justice, Legal and Parliamentary Affairs on progress of the delimitation process, including the anticipated changes in constituency demarcations. The Minister is also the Secretary of Finance of the ruling party, which gives ZANU-PF advance knowledge of delimitation information not yet available to all political parties. All political parties should have equal access to this information, as advance knowledge by any political party would provide it the advantage of allowing it to select candidates, set up campaign organization and begin campaigning inside the constituency boundaries before others could do so. This point is not insignificant this year, when indications are that perhaps three constituencies will be abolished, three new ones created and the boundaries of many, if not most, are likely to change.

The date that Nomination Courts will sit to receive candidate nominations has been set for May 29, only seven days from today. This raises concerns over the ability of political parties to prepare for the nomination of candidates for constituencies that are not yet known. Nomination papers must be supported by valid signatures of 10 voters registered on the Voters' Roll within a prospective candidate's constituency. Until the final report of the Delimitation Commission is completed and the proclamation issued by the president, the Registrar General cannot prepare the Voters' Roll for each constituency and make it available to the prospective candidates to collect the required 10 signatures.

While it may be possible for the Delimitation Commission to complete its report and for the President to issue the required proclamation in the seven days remaining before the May 29 nomination date, the spirit of the law – which is to provide adequate time (minimum 14 days) to the political parties to choose and qualify their candidates before nomination day – will not be met (Article 38(2)(a)). This could have a discriminatory effect on small opposition parties that may depend on knowing precise definitions of boundaries when deciding whether or not to nominate a candidate in particular constituencies. MDC has filed a court case seeking to move the nomination date to a time later than May 29.

Inspection of Voters' Rolls. In the past, there have been serious questions raised about the quality of the Voters' Rolls in Zimbabwe, particularly concerning the number of deceased persons on the rolls and problems with "transferred persons," who moved from one part of the country to another. These inaccuracies led to questions concerning the credibility of the Voters' Rolls. This year two important steps were taken to address such problems. A massive registration campaign was conducted to register voters and thereby update the rolls, which are based on the voluntary registration of voters. Second, the voters register was

merged with the civil registry (Zimbabwe Population Registration System or ZPRS). Mergers of such large databases in most countries create a number of problems in sorting rejected names and technical problems that can cause names to become mis-entered. In addition, the capture and entry of names from the recent registration drive presents issues of backlog and inaccuracies of entries that usually result from such operations. These issues present an urgent need for adequate public inspection of the Voters' Rolls and for an accurate claims and objections process to finalize the roll as accurately as possible.

Moreover, this will be the first election where prospective voters names must appear on the Voters' Rolls, or they will be denied the opportunity to vote. In the past, voters could prove their eligibility to vote at the time of voting and be permitted to cast their ballot. Unless, a large-scale voter education campaign is launched about this change and the critical importance of each voter verifying their name on the roll, many voters may find on June 24-25 that they will not be allowed to vote. Even people who were on previous Voters' Rolls could be omitted or inaccurately entered on the rolls due to problems from merging the rolls and the ZPRS. Such problems could lead to large numbers of voters being disenfranchised, which could lead to confrontations at the polling stations on the election days.

Previously, the Votes' Rolls were displayed from seven to 21 days, so that voters could inspect them and make claims and objections. The rolls were generally posted at polling stations to provide convenient access for voter's inspection. This was in addition to the requirements of the Electoral Act (Article 18) that the Voters' Roll be available for inspection at the Constituency Registrar's Office.

Unfortunately, even though the needs for public inspection of the Voters' Roll this year are greater that in the past, the compressed electoral calendar may cause the number of days for public inspection to be minimized. Equally important, limited funds for the election process may lead to only one copy of the Voters' Roll being available per constituency, with possible mobile units carrying a copy of the rolls. This would limit the ability of prospective voters to verify the roll and could exacerbate the potential for disenfranchisement.

Election Supervisory Commission. Article 61(3) of the Constitution provides that: "The Electoral Supervisory Commission shall supervise the registration of voters and the conduct of the elections of members of Parliament...." Also, it is not to be subject to the direction or control of any person or authority. The Electoral Supervisory Commission (ESC), is to be comprised of 5 persons, including a chairperson, all of whom are appointed by the President (three, including the chairman, in consultation with the Judicial Services Commission and two in consultation with the Speaker of Parliament). Presently, the ESC has only three members, including an acting Chairperson appointed by the members themselves.

The ESC does not seem to be able to fulfill its role as envisioned by the Constitution. The ESC does not receive adequate financial resources to hire sufficient staff to supervise the registration of voters or the conduct of elections, per its constitutional mandate. It reportedly was not advised of the recent registration process or adequately enabled to witness or supervise the registration. The ESC has reportedly still not received a copy of the register of voters that was provided to the Delimitation Commission, per its request. This would not be consistent with Article 14 of the Electoral Act concerning the duties of the Registrar General to the ESC.

The ESC has to its credit approached the problem of supervising the conduct of

elections by accrediting domestic election monitors to witness election-day procedures. This has allowed civic and religious organizations to mobilize thousands of Zimbabwean citizens to participate in and help ensure the integrity of the election process. It would also be possible for the ESC to accredit nonpartisan organizations to monitor aspects of the pre-election and post-election periods.

In addition to these roles, the ESC could serve as a facilitator of dialogue among the political parties and/or between the election authorities and the political parties. In lieu of an independent election commission and a political party liaison committee, as exist in other countries in the region, the ESC could help to fill these important functions. The ESC, along with business, civic and religious leaders, could encourage the political parties to meet and conduct dialogue on basic conditions and ground rules for the June 24-25 elections, including final agreement and enforcement of a code of conduct.

Registrar General and Election Directorate. An Elections Directorate exists by virtue of Article 4(1) of the Electoral Act to coordinate the activities all government organs related to the electoral process. This directorate is headed by a chairperson appointed by the President and comprises the Registrar General and between two and ten other members appointed by the Minister of Justice, Legal and Parliamentary Affairs.

According to the Electoral Act the Office of the Registrar General is the principal agency responsible for conducting all aspects of elections. In carrying out the duties of this office, the Registrar General, Article 15(2), "shall not be subject to the direction or control of any person or authority other than the Election Directorate, but shall have regard to any report or recommendation of the ESC." For the purposes of registration of voters the Registrar General's office falls under the Ministry of Home Affairs, however, in the conduct of all other aspects of the electoral process the Registrar General reports to the Minister of Justice, Legal and Parliamentary Affairs.

The Electoral Act, Article 14, sets forth the responsibilities of the Registrar General to the ESC. These include routinely providing reports on the electoral process including the registration of voters as well as responding to requests from the ESC and keeping the ESC generally informed on election related matters. According to the ESC, this has not been the case.

In addition, the Registrar General does not routinely meet with nor provide information to political parties about the electoral process. By not providing information the Registrar General is not creating an open and transparent electoral process in which all of the political contestants have timely information in order to make knowledgeable decisions during the electoral process.

While the Electoral Act makes the Registrar General the primary person responsible for the conducting elections, the President is given sweeping powers to control the election process. Article 158 specifically empowers the President to suspend or amend any provision of the Electoral Act and to alter any time period specified by the Electoral Act.

B. Election Administration

Given the problems with the various government institutions involved in the conduct of elections, these institutions have demonstrated the administrative capacity to hold regular

elections in the past. The upcoming parliamentary elections are the fifth in Zimbabwe since 1980. In addition, in February 2000 a nationwide referendum on the draft constitution was held. While some these elections may have been marred by rigging and electoral manipulation, the results have been generally accepted.

The election authorities, particularly the Registrar General, are the subject of considerable controversy. Opposition political parties and civil society organizations consistently express concerns over: the lack of credibility and independence of election authorities; a partisan bias in the work of election authorities; lack of transparency in the election preparations; and a lack of institutional coordination.

Questions were raised in particular about the recruiting of polling officials. In the past, primarily teachers staffed the polling stations. Some political parties and civic organizations expressed concerns that war veterans may now be recruited for these posts. Given the violence and intimidation in the current pre-election period, the presence of war veterans within the polling stations could lead to situations where voters would not feel safe at the polls. All polling officials should be trained and be held accountable, so that voting procedures are correctly applied and that no correlation could be made between a specific ballot paper and the voter who cast it.

As noted above, the accuracy of the Voters' Rolls is an area of significant concern. The Electoral Act stipulates that only registered voters will be permitted to vote in the parliamentary elections. Citizens are only considered to be registered if their names appear on the Voters' Roll for the constituency in which they are registered (Article 56). Potential voters whose names do not appear on the Voters' Roll for a particular constituency will not be permitted to vote on election day, without exception. During the voter registration exercise registered voters were not issued any receipt or card as proof of their registration. Previously, such receipts provided voters with recourse if, for any reason, their name did not appear on the Voters' Roll. While there is no legal requirement to issue a receipt (Article 23(3)), such a document could have provided voters with a ready means to make claims and objections.

Concerns were also raised about the counting of ballots at constituency counting centers. Under the current practice, once voting is completed on the second day the ballot box is sealed and transported to a central constituency counting center. There the number of ballot papers in each ballot box is first reconciled with the report of each presiding officer, and then co-mingled with all other ballot boxes during the determination of votes. Many political parties expressed concern that the integrity of the vote could be jeopardized during the transportation of ballot boxes and the co-mingling of ballot papers.

At polling stations, Zimbabwe currently uses non-transparent ballot boxes. In many meetings it was suggested that transparent ballot boxes would help build confidence in the process.

Articles 85 and 86 of the Electoral Act provide for polling agents for political parties to monitor the electoral process on behalf of a particular candidate. These polling agents have a right to monitor the election process at polling stations (Article 55) and to be present when the ballot box is shown to be empty before voting commences (Article 54). No other rights are afforded to polling agents under the law. However, polling agents have been able to sleep with the ballot box at night and travel with the ballot box from the polling station to the constituency counting center.

Civil society monitors and international observers are not mentioned in the law, regarding their rights or responsibilities. In practice, Zimbabwean NGO monitors have been accredited by the ESC to monitor elections, permitted into polling stations, and report to the ESC. This has been done under the ESC's constitutional powers to supervise the conduct of elections.

C. Electoral Environment

Polarization among Political Parties. The current environment for electoral competition is characterized by mistrust, suspicion and political polarization among the political parties. There is a striking intolerance toward opposing political parties, particularly on the part of ZANU-PF, the ruling political party, toward the MDC. These factors were exacerbated by the results of the February constitutional referendum, but they are likely associated with the legacy of the de facto one-party state and the liberation struggle ideology which have characterized Zimbabwe even before its independence. Such intolerance has led to ZANU-PF characterizing supporters of the opposition, today and in the past, as unpatriotic for challenging its position, and it has labeled such opposition as foreign-inspired. While ZANU-PF is not monolithic and allows differing points of view to be debated inside its ranks, there is a pronounced tendency which holds that it is not legitimate to challenge the party from outside.

At the same time, the political climate is characterized by a profound lack of dialogue among competing political parties, through which to resolve disputes and tensions in the pre-election period. There is no political party liaison committee or other forum for dialogue sponsored by any of the electoral authorities, government institutions, civic or religious sectors. Attempts by NDI at encouraging dialogue among the political parties over the last year led political parties, ruling and opposition alike, to draft a Code of Conduct for the elections. The Code of Conduct addressed, among other things, the need for political parties to prevent political intimidation and to accept that everyone has the right to put forward their political views without fear. While the other political parties have ratified it, the ruling party thus far has not.

In addition, opposition political parties express distrust of the electoral process and a certain lack of initiative or frustration about petitioning the electoral authorities or the courts for redress. This demonstrates the need for independence and impartiality among the electoral authorities, police, prosecutors and the courts. Actions that produce effective remedies reinforce the value of using complaint mechanisms in accordance with the rule of law, rather than turning to self-help through violent means or retreating from the process.

Violence, Anxiety and Fear among the Public. Politically motivated violence, particularly since the February referendum, has produced an environment characterized by anxiety and fear among the electorate. Thus far, 23 people have reportedly been killed; over 100 have been injured, and there has been substantial property damage. The government of a country has an obligation to provide security against violence. Guaranteeing the right to life and security of the person will present a major challenge to the credibility of the election process.

Almost everyone with whom the delegation met condemned the level of politically motivated violence as "unacceptable" and "not conducive to free and fair elections." On May

10, for example, the ESC issued a press statement stating that it was greatly concerned with the "spate of political violence and intimidation that has characterized the pre-election period." The Business Leaders' Forum published a statement in the May 4-10 edition of The Financial Gazette, which said that: "They were very concerned about the general breakdown in law and order in our country caused by politically motivated violence." It stated that: "The police and other law enforcement agencies must seriously step up their efforts to uphold the rule of law and protect law-abiding citizens from acts of violence." The Presbytery of Zimbabwe published a statement in the May 17 edition of The Herald, in which they called upon all political parties "to desist from all public pronouncements that encourage violence" and they appealed to "all politicians to ensure that their opponent's security and well being are as important as their own."

On May 2, The Commonwealth released The Commonwealth Ministerial Action Group on the Harare Declaration (CMAG) Chairperson's Statement, which said that the committee of eight Commonwealth foreign ministers "voiced their concerns over ongoing violence, loss of life, illegal occupations of property, failure to uphold the rule of law and political intimidation in the run-up to Zimbabwe's parliamentary elections."

Many with whom the delegation met stressed that violence and threats of violence have a powerful impact in rural areas, where the liberation struggle was fought most intensely. This is particularly true in Matabeleland, where memories of the tragedy and suffering of the 1980s "Gukurahundi" campaign are not long removed. It is alleged that supporters of the ruling political party and war veterans who support that party are threatening a return to the armed struggle if the ruling party does not retain control of government. In Matabeleland, for instance, alleged acts of deliberate intimidation include the deployment of war veterans wearing red berets, the trademark of the North Korean trained 5th Brigade, suggesting a renewal of the "Gukurahundi" campaign if election results do not favor the ruling party. In addition, inflamed rhetoric has incited violence. The delegation was informed that even seemingly veiled threats like telling a political rally to "go clean your garden" has led to violent attacks.

A statement by the MDC legal committee, entitled Summary of Violence in Zimbabwe since March 1, attributes 86.3 per cent of politically-motivated cases of violence to supporters of ZANU-PF, while 6.7 percent of the victims of violence were affiliated with ZANU-PF; the ruling political party would take issue with these numbers. An April 27 ZRP statement to the press reported MDC as the initiator of a significant portion of violent acts, a characterization denied by MDC.

Documented politically-motivated violence has included dragging farm workers and villagers from their homes at night and severely beating those identified as supporters of political parties that are in opposition to ZANU-PF. Men, women and children have been among those beaten and even tortured, including eight documented cases of rape. The level of such violence has driven a significant number of people from their homes to other constituencies, including to Harare, which would create problems in exercising the right to vote and to stand for office.

The delegation conducted a number of interviews with victims of political violence. These first-hand narratives gave credence to numerous reports to the delegation that political violence was taking place, including attacks on targeted individuals, clashes among groups of supporters of the opposition and the ruling political party, break-up of political party meetings

and establishing so-called "no-go zones." The political violence appears to be divided into two categories: that of a more or less spontaneous nature; and deliberate targeting of specific individuals for bodily harm and murder.

The delegation's meeting with the MDC in Bindura was encroached upon by more than ten men, who MDC representatives identified as war veterans. The MDC representatives became frightened and wanted to change the meeting's venue, which was done. The interactions illustrated that even small meetings are being watched and attempts at intimidation can even take place in the presence of international observers. In addition, another of the delegation's meetings in Bindura was intruded upon by a man who showed identification as being with the ZRP intelligence unit. He reported that he was taking information about who was attending such meetings. In Bulawayo, another man who also identified himself as being with the ZRP intelligence unit intruded upon the delegation's meeting with Amani Trust, a human rights organization monitoring electoral violence. In both cases, the men left the meetings when asked, but the incidents illustrate a free-wheeling attitude of intelligence agencies toward the exercise of freedoms of association and assembly.

Reports from both the police and the Commercial Farmers' Union confirm that approximately 1,000 farms have been invaded and occupied by war veterans. There have been numerous, serious incidents of violence following such actions, including deaths, some of which have affected white farm owners but most of which have been directed towards black farm workers. A pattern is reported by credible sources from the independent news media in which after a large number of war veterans invade a farm and initial violence takes place, the bulk of the war veterans move on, leaving a small group to hold the place. According to this pattern, after invading a farm, war veterans set up so-called "reeducation camps" where farm workers are forced by dint of violence or intimidation into singing pro-ZANU-PF songs and slogans. Reportedly, similar activities are also conducted in some villages in the rural areas.

While it was beyond the resources of the delegation to investigate the land issues, all political parties with which it met expressed support for land reform. Leaders of ZANU-PF stated that the party intended to fight the election on the basis of land, which makes it a central part of the political process affecting the elections. The violence and intimidation surrounding the land issue therefore has taken on a definite political nature. Many with whom the delegation met stated that they believed the actions of the war veterans were part of an electoral strategy, especially because the war veterans organization (the Zimbabwe National Liberation War Veterans' Association) has stated its support for ZANU-PF, and its leader, Chenjerai Hunzvi, is reportedly a ZANU-PF candidate for parliament.

D. ELECTORAL COMPETITION ("Level Playing Field" for the Official Campaign Period)

A number of factors in addition to those discussed above are important in examining conditions for competition among political parties and candidates during the election campaign period. The campaign may not begin officially until Nomination Day, May 29, but it is already in progress. The unofficial campaign period has an important bearing on the election process.

Media Access. Mass media provide a critical conduit through which political parties and candidates can communicate to much of the electorate. Without access to the media to express positions, political parties and candidates cannot effectively reach prospective voters,

and the voters are left without the accurate information they need to make an informed choice at the ballot box. It is therefore necessary to provide equitable media access for all political parties before and during the official campaign period. To date, the opposition political parties have not had such access to the government-controlled broadcast media. Representatives of ZBC report that there is a plan, to take effect upon the beginning of the official campaign period, to make commercial time available to the political parties. The plan calls for 10 slots of 10 minutes of commercial time per day, at one minute for each of the 10 political parties. The plan will make even more commercial advertising time available on government-controlled radio. While such plans could help build credibility of the election process, paid political advertisements are not a substitute for providing sufficient free media time to competing political parties and candidates on government-controlled radio and television.

ZBC reported to the delegation that a one-half hour program on state broadcast media will be dedicated free of charge for each of the major political parties, in the last days of the campaign (with the party fielding the most candidates appearing closest to the election days, the one with the second most the day before, and so on). It also reported that an all-parties debate would be broadcast free of charge. These are important opportunities, however, the limited amount of time is not likely to allow the voters to receive adequate, accurate information upon which to make a free and informed choice at the ballot box.

News Media Bias. Reports from casual observers as well as media monitoring organizations alike highlight gross bias in the government-controlled media's news coverage, which bias favors the ruling political party. The state-controlled media hold a monopoly on in-country radio and television broadcasting licenses. Radio channels are the predominant media by which the population gains news information. Television reaches the urban areas, and state-controlled newspapers have the widest circulation among the print media. A small number of independent print media mainly reach urban areas. Media monitoring efforts have criticized the independent print media for, at times, taking pro-opposition stances.

Bias in news coverage conditions the electorate's attitudes with inaccurate information, which negates the rights of citizens to seek and receive the information needed to make a free and informed choice when voting. Bias also can easily negate the effect of information supplied by political parties and candidates through free media access messages and paid political advertisements. It is therefore critical to the credibility of the election process that directors of state-controlled media act to ensure that bias is eliminated from its coverage, because state-controlled media have an obligation to operate in the public's interest rather than for the benefit of one political party.

Use of State Resources and Party Financing. State resources, as noted above concerning state-controlled media, should be used for the benefit of the citizenry as a whole, rather than for the benefit of individuals or one political party. Reports of use of state vehicles for electioneering, while common in many countries, could pose a serious issue in Zimbabwe if freedom of movement for private transport is curtailed – either due to political violence or due to fuel shortages. In the present atmosphere of suspicion, even the appearance of lines at the petrol stations this week fueled rumors that fuel shortages were created for election purposes. It is therefore important for the government to take steps to prevent misuse of state resources, including the time of government workers while on duty, in order to bolster the credibility of the election process.

The Political Parties Finance Act, sets forth the qualification requirements for political parties to receive state funds. It requires that a party must receive five percent of the national vote to qualify for such funding. Thresholds of this type are not uncommon; in Zimbabwe, however, the requirement results in ZANU-PF being the only political party that qualifies for receipt of state funds. This qualification requirement makes it particularly difficult for small political parties to compete. In countries where there is a proliferation of political parties, thresholds may help to rationalize the political process, but where a country has only two opposition members in its parliament, provision of state funds on reasonable and equitable bases is advantageous for fostering political pluralism.

Widespread Voter Education to Increase Confidence in Ballot Secrecy. Several credible sources reported to the delegation that one of the effects of the recent political violence and accompanying threats has been to undermine public confidence in the secrecy of the vote. The concept of ballot secrecy has been established in Zimbabwe in past elections, and rebuilding public confidence in it is an important challenge for the June 24-25 polls. Reassurances from the electoral authorities, for example the Registrar General and the ESC, in the form of a widespread voter education campaign will be instrumental in this respect. While Zimbabweans have experience in the mechanical aspects of voting procedures, reassurances from electoral authorities concerning the secrecy of the vote are essential.

In addition to ballot secrecy, voter education campaigns about the manifestos and positions of the political parties is critical for a free and informed vote. Civic organizations and the political parties themselves have an obligation to ensure that the

electorate receives such information.

Immediate, widespread voter education about the need for citizens to go and verify whether their name is on the Voter's Rolls is also needed, as discussed in detail above. Such a campaign concerning the electoral-related rights of citizens is also needed, along with what to do to seek an effective remedy if such rights are violated.

In sum, a review of the legal framework and the pre-election environment, based on applicable international standards, reveals that the conditions for credible democratic elections do not exist in Zimbabwe at this time.

IV. OBSERVATIONS AND RECOMMENDATIONS

International experience demonstrates that in countries like Zimbabwe, where violence and fear undermine the potential for credible elections, it is necessary to go beyond the minimum requirements of the election law to build sufficient public confidence in the process, so that the elections might be accepted by the political parties and voters. This is all the more important when the legal framework for elections contains serious deficiencies. In order to establish such public confidence, it is often necessary to take extraordinary steps to promote electoral rights and open dialogue among the political contestants to agree on minimum rules for the competition.

The elections are just 33 days away; immediate and concerted efforts are therefore required to make improvements to the political environment, to create or reinforce safeguards for administrative impartiality and to ensure adequate resources for electoral authorities to complete their tasks properly and effectively, as mandated in the Constitution and Electoral Act. A number of important steps should be taken with the limited resources available and within the scant time remaining before the elections. The delegation therefore respectfully offers the following recommendations.

1) Ending Political Violence. The delegation is aware that the government of Zimbabwe has made a commitment to organizing credible elections based on Zimbabwean law and in accordance with Zimbabwe's international commitments concerning democratic elections. The degree of political violence since the February constitutional referendum has greatly damaged the electoral process. Political leaders, especially President Mugabe, should do everything within their power to ensure that the political violence stops immediately. All citizens, including war veterans, should respect the civil and political rights of others; without such respect elections lose their democratic meaning. The government, including electoral authorities, police and other authorities have an obligation to ensure the exercise of basic rights in the electoral context.

2) Advancing Political Dialogue. In order to come to agreement concerning minimum conditions for credible elections that could be accepted by all of the political parties and the electorate, political parties must be able to speak to each other. A political dialogue, even during the heat of an election campaign, is critical to reducing tensions in

the country and finding a way to peacefully settle the competition for political power. Electoral authorities, business, civic and religious leaders should encourage the political parties to conduct good-faith discussions about how to compete while maintaining sight of the overriding national interest for peace and meaningful elections. In addition to basic requirements about the election process, the dialogue could advance the code of conduct discussed at a multiparty roundtable conference in Masvingo in February. Signing that document or any similar agreement could be an important symbol, upon which public confidence could build. Training party activists and enforcing such provisions, whether based on a multiparty agreement or unilateral rules of party conduct, could help reduce violence and promote respect for the rights of those holding differing views. Such efforts should continue in the post-election period to ensure peaceful developments no matter what the outcome of the elections may be.

3) Government and Political Party Liaison Meetings. It is important that political parties and candidates understand the regulations and procedures of election authorities and other governmental bodies concerned with the elections. It is therefore recommended that election authorities, including the Registrar General and the ESC, set up regular meetings to brief and share information with representatives of the political parties and candidates. The ZBC and the ZRP, respectively, also should set up such regular meetings to discuss issues relating to the broadcast media access and news coverage in the case of the ZBC and security issues around the country in the case of ZRP.

4) Provision of Adequate Opportunity for Public Inspection of Voters' Rolls. This year the law for the first time provides that a person whose name is not on the Voters' Rolls will not be allowed to vote. In addition, there was a recent large-scale voter registration effort and the Voters' Rolls and civil registry (ZPRS) were recently merged. These important exercises create a risk for omissions and errors in voter names. It is therefore crucial that the public be provided the maximum feasible opportunity to inspect the rolls, verify their proper registration or make appropriate claims and objections to correct the roll before the election days. It is urged that the Voters' Rolls be made publically available as soon as possible, be posted in numerous convenient places in each constituency for a period extending over at least two weekends to allow adequate inspection. A large-scale voter education campaign should be mounted concerning the need and procedure for this inspection and how to make claims and objections. The claims and objections process should be supervised by the ESC and other observers to help ensure an effective process. In addition, a copy of the Voters' Rolls should be supplied free of charge to each political party competing in the elections. The international donor community should consider providing assistance in each of these steps if necessary and appropriate.

5) Releasing Information Concerning Delimitation of Constituencies. Information concerning the location of constituencies and their boundaries should be made immediately available to all political parties contesting the elections. This information is needed to properly nominate candidates and to begin organizing and

conducting campaigns. The circumstance whereby one political party has access to such information due to its position in government should be equalized.

6) Adding Transparency to Electoral Administration. The present organization of election administration lacks the confidence of opposition political parties and large segments of the population. Increasing transparency through political party liaison meetings could help correct this. In addition, allowing representatives of the political parties, civil society election observers and the ESC to observe technical preparations for the elections, including production of the Voters' Rolls, ballot production, distribution and security measures, as well as voting, transport of ballot boxes, counting and announcement of results, will add to transparency and improve the basis for public confidence in the election process. Concerns over the alleged replacement of teachers with war veterans, as polling officials, could be relieved by allowing party representatives, civil society monitors and observers to witness the selection and training process for polling station officials.

7) Improved Media Access and Removal of Bias. The ability of voters to receive adequate, accurate information about the political parties and candidates is paramount to exercising their free will at the ballot box. Mass media, particularly radio and television, are critical to political parties and candidates providing messages to the voters about their manifestos and related positions. It is therefore recommended that ZBC expand its free broadcast time for the political parties beyond the one-half hour for the last ten days of the campaign and the broadcast of one multiparty debate. Extension of free broadcast time should be considered for at least the 21 days of the campaign and at least three multiparty debates should be broadcast. ZBC should take steps to end bias immediately. As government-controlled media, ZBC should fulfill its obligation to ensure that its media provide accurate and balanced news coverage of all political parties.

8) Streamlining Voting Procedures. Streamlined voting procedures and effective training of polling station officials can reduce the time necessary to vote and reduce the time spent in waiting in line. This can help reduce tensions on voting days and add to public confidence. A review of procedures and the training program at this time could enhance election day operations.

9) Enhanced Voter Education. Violence and political intimidation combined with fear of possible post-election reprisals have undermined confidence in secrecy of the ballot among large segments of the population. It is therefore recommended that large-scale voter education campaigns be conducted by the electoral authorities (the Registrar General or the ESC) to reassure the public that there will be ballot secrecy for the June 24-25 elections. The voter education campaign should address procedures that will be in place to insure secrecy of the ballot. In addition, widespread voter education campaigns should be conducted by political parties and civil society organizations to help the electorate learn about the manifestos and other positions of the political parties so that voters may make informed choices. As noted above, a widespread voter education campaign concerning the importance of citizens inspecting the Voters' Rolls is needed.

10) Ensuring Access for Civic Society and International Election Observers. Monitoring and observation of elections requires access to all aspects of the process, in the pre-election period, on election days and in the immediate post-election period. Election authorities have provided access to monitors and observers in past elections, and they have contributed to the integrity of the process and to enhanced public confidence. Complete access should be accorded to monitors and observers throughout the remainder of the present election process, including for Zimbabwean civil society observers, political party polling agents and international observers.

NDI will continue to observe the processes surrounding Zimbabwe's June 2000 parliamentary elections in the spirit of international cooperation and in accordance with international standards for election observation and Zimbabwean law. Further NDI reports will be issued as appropriate. Once again, the delegation offers its gratitude to everyone with whom it met. Had they not taken time to share their views and offer information, the delegation would not have been able to complete its work.

International
Republican Institute

I R I

Advancing Democracy Worldwide

Statement by Lloyd O. Pierson, Director, Africa Division, International Republican Institute, before the United States House of Representatives Subcommittee on Africa, June 13, 2000.

Mr. Chairman, Members of the Subcommittee,

Thank you for the opportunity to appear here today and comment on one of the most powerful democratic reform movements currently underway not only in Africa, but in the world. A courageous coalition of political parties, trade unions, civil society groups, religious organizations and what appears to be an overwhelming percentage of the Zimbabwe people are sending a very strong message that a desperate, authoritarian regime will not last.

For those of us who have a longstanding deep affection for Zimbabwe. For those who recognize the talents, work ethics and values of most Zimbabweans. For those who know that democracy has won the intellectual battle as the best political system to guarantee open and transparent government and protect individual liberties. For those who cherish life, liberty and pursuit of happiness and believe that government should be of, for and by the people, current events in Zimbabwe are very painful.

The present government of Zimbabwe began its journey in 1980 with great hope. Many currently in the opposition were originally a part of ZANU-PF, the majority party, or considered their self in partnership to foster a peaceful transition from Rhodesian colonial rule. Education and health care facilities were improved. Land reform was – and continues to be – considered a necessity by virtually all Zimbabweans.

After 20 years in power, the Government has lost its way. Democracy and good governance have been shoved aside for power and control. Due process, free speech, rule of law, freedom of the press, and the right of assembly, are not only under attack by the Government, it is the Mugabe government that clearly ignores rulings of the judicial branch and suppresses its own people.

Mr. Chairman, a very strong Sense of the House Resolution has been introduced in the U.S.

House of Representatives. You, Mr. Gilman, Mr. Hastings, and others were among the Members of Congress that have strongly supported this resolution. Very strong legislation regarding Zimbabwe has been introduced in the Senate.

The International Republican Institute (IRI) has been working in Zimbabwe since 1993. We have supported human rights organizations and non-profit legal associations working to protect the rule of law. Approximately two years ago IRI began quadrupling its program in the belief that the democratic reform movement was developing into a major force for democratic change. IRI, as Members of this Subcommittee well know, was commissioned in 1983, along with the National Democratic Institute and the National Endowment for Democracy, to help advance democracy and good governance around the world.

In Zimbabwe, we have seen and believe that the opportunity genuinely exists for an open transparent government. IRI's interest is in the development of a multi-party system and a government that is for the people, not for itself. I want to also stress that the democratic reform movement in Zimbabwe is being led and supported by the people of Zimbabwe, not external organizations. The democratic reform movement will continue with or without IRI or any other international assistance. There should be no mistake about that. We can, however, have an impact by showing our support for democracy and good governance.

Following discussions in mid-1999 with the Government's Constitutional Commission and the civil society National Constitutional Assembly (NCA), IRI determined that the referendum of February 12 – this year – on the Mugabe Constitution would be an opportunity for the people of Zimbabwe to cast their ballot on an issue of national importance. We believed that civil society organizations knew best the thinking of Zimbabweans and IRI, with the support of the National Endowment for Democracy, lent its support. Although the financial support was modest, civil society leaders viewed it – as stated in a subsequent letter to the IRI Board of Directors and President – as "critical and timely."

The results of the February 12 referendum provided additional momentum for democratic reform activists. The people of Zimbabwe sent a message by their ballot that a constitution perpetuating state power was not acceptable. Even though many believe that without fraud involved the count would be higher, the Mugabe supported constitution was defeated with approximately 55 percent of all ballots against the measure.

Subsequent to the referendum, the government has mounted an aggressive campaign of intimidation and harassment against those who oppose them. They have rejected rulings from the independent judiciary. They have placed restrictions on the right of opposition groups to campaign for parliamentary seats.

In a very personal situation for IRI, Sekai Holland, the national director of a woman's

association, and a member of a delegation that visited Washington two months ago, was arrested over two weeks ago for expressing her views and working with the opposition. Supporters around her were beaten, a building was burned, and she was held in jail without charges. She now has been released, but she had done nothing other than express opinions different from the government. Mr. Chairman, Sekai was a member of the delegation that met with you, Congressman Payne, Congressman Meeks, Congresswoman Waters, and Democrat and Republican staff of the International Relations Committee and Africa Subcommittee.

The current parliament is virtually a one-party rubber stamp operation. This is the first time that a real pluralistic challenge has developed against government one party power and control.

Of the 150 seats in the present parliament, there are only three opposition parties with one, the Zimbabwe Union of Democrats headed by Margaret Dongo, the most outspoken. Since President Mugabe can name 30 Members of Parliament, only 120 of the 150 seats are being contested. Based on statistical analysis of the February 12 constitutional referendum, the opposition has projected that they could win up to 100 seats, provided they have the opportunity to fairly compete. Government actions, however, are not providing that opportunity.

This election is really about pluralistic democracy and good governance in Zimbabwe. IRI is currently providing assistance to train over 3,000 domestic monitors, conduct national voter education campaigns, create a Violence Monitoring Unit, audit the voters registration roll and support women and youth leadership groups. In the post-election period, IRI will continue a very active program in which we will help train all of the newly elected parliamentarians, conduct public opinion surveys, provide training for democratic reform activists, and support civil society organizations.

IRI's commitment in Zimbabwe is long-term. Despite the obstacles being put in the election observer accreditation process and the fact that the United Nations has pulled out of the observation coordinating process, as of today we plan to continue with our observer mission. We will continue to do all we can to help advance democracy and promote good governance.

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VICE CHAIR:
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Congress of the United States
House of Representatives

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June 8, 2000

H.E. Robert Mugabe
President
Republic of Zimbabwe
c/o H.E. Simbi Mubako
Ambassador
1608 New Hampshire Avenue, N.W.
Washington, D.C. 20009

Mr. President:

I am writing to address the welfare and safety of Cuban Drs. Noris Pena Martinez and Leonel Cordova Rodriguez, as well as the issue of their request for political asylum. I would ask that you facilitate their release to the care of the United Nations High Commissioner for Refugees and that you uphold and respect their rights by abiding by the procedures in place for refugee cases.

It is unconscionable that these two dedicated human beings who were in your country providing medical care to your fellow countrymen would be abducted by armed soldiers and forced into an Air France plane in an attempt to deport them to Cuba against their will. Further, the fact that their requests for political asylum were ignored by your government casts serious doubts regarding Zimbabwe's commitment to democracy and human rights.

As a senior member of the International Relations Committee of the U.S. House of Representatives, I closely monitor developments in Zimbabwe both within the context of safeguarding democracy, civil liberties, human rights and the rule of law, as well as within my responsibility as a Member of Congress to evaluate the application, use, and impact of U.S. foreign assistance to Zimbabwe.

Incidents such as those reported in recent days regarding the disappearance, imprisonment, and attempts to forcefully return Drs. Martinez and Rodriguez to Castro's Cuba, have a lasting impact on decisions concerning U.S. foreign policy toward the government of Zimbabwe -- particularly as we evaluate U.S. aid, debt reduction, and related programs.

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Since Zimbabwe's independence in 1980, our countries have worked closely toward the consolidation of democracy and economic development. I hope I can count on your cooperation in ensuring the immediate release of these doctors to the care of UNHCR officials and to take steps to protect their rights and uphold the procedures for an asylum hearing.

Sincerely,

Ileana Ros-Lehtinen, Chair
Subcommittee on International
Economic Policy and Trade

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June 8, 2000

The Honorable Madeleine K. Albright
Secretary
U.S. Department of State
Washington, D.C. 20547

Dear Madam Secretary:

I am writing to address the welfare and safety of Cuban Drs. Noris Pena Martinez and Leonel Cordova Rodriguez, as well as the issue of their request for political asylum from the Government of Zimbabwe. I would ask that you facilitate their release to the care of the United Nations High Commissioner for Refugees and that you press the government of Zimbabwe to uphold and respect their rights by abiding by the procedures in place for refugee cases.

It is unconscionable that these two human beings who were providing medical care to the people of this African nation would be abducted by armed soldiers and forced into an Air France plane in an attempt to deport them to Cuba against their will. Further, the fact that their requests for political asylum were ignored casts serious doubts regarding Zimbabwe's commitment to democracy and human rights.

Incidents such as those reported in recent days regarding the disappearance, imprisonment, and attempts to forcefully return Drs. Martinez and Rodriguez to Castro's Cuba, should be carefully examined by the State Department as you determine U.S. foreign policy toward Zimbabwe and reach determinations on U.S. aid, debt reduction, and related programs to be provided to this government.

Since Zimbabwe's independence in 1980, our countries have worked closely toward the consolidation of democracy and economic development. I hope we can continue to work toward those goals. Their willingness to ensure the immediate release of these doctors to the care of UNHCR officials and to uphold the procedures for an asylum hearing would indicate that Zimbabwe's officials wish to continue developing the relations between their government and ours.

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To reiterate, I request your assistance in helping to ensure that the rights of these doctors who are seeking asylum from Castro's tyrannical regime are protected and urge you to support UNHCR in its efforts to safeguard the procedures regarding refugee cases.

Sincerely,

Ileana Ros-Lehtinen, Chair
Subcommittee on International
Economic Policy and Trade

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June 12, 2000

The Honorable Thomas McDonald
U.S. Ambassador to the Republic of Zimbabwe
172 Herbert Chitepo Avenue
Harare (E), Zimbabwe

Dear Ambassador:

I would like to reiterate the concerns expressed to Secretary Albright concerning the welfare and asylum of Cuban Drs. Noris Pena Martinez and Leonel Cordova Rodriguez.

Not only does the Castro regime subjugate its people within Cuba's geographic boundaries, but it seems evident based on statements made by the Cuban dictator this past weekend, that the Castro regime is also trying to suppress the free will exerted by its citizens in other countries by intervening in the refugee and asylum case of Drs. Martinez and Rodriguez. The Castro regime's ultimatum that it would issue documents for the doctors to travel anywhere in the world – except the United States – clearly demonstrates an attempt to interfere in the internal affairs of the Zimbabwe government. Further, it seems that the regime is using the "medical assistance mission", or possible halt to such cooperation, as a means of scaring the Zimbabwe government into adhering to its wishes.

There are clear guidelines, requirements, and safeguards in place dictating the refugee and asylum process in cases such as these. We must not allow a despot – a tyrant like Fidel Castro – to coerce the Zimbabwe government to ignore and abrogate those procedures.

I ask that you and all U.S. officials involved in this case, stand firm in your decision to offer these Cuban doctors refugee status in the U.S. and to intensify U.S. efforts – individually and in conjunction with the U.N. High Commissioner for Refugees -- to secure the doctors' freedom and safety away from the threats posed by the Castro regime.

To reiterate, your assistance and commitment would be greatly appreciated.

Sincerely,

Ileana Ros-Lehtinen, Chair
Subcommittee on International
Economic Policy and Trade

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6/13/2000

Request for Further Information on Chinese Arms to Zimbabwe

Q. My other question and final one, Mr. Chairman, I guess goes to the British embargo with reference to arms, and I do not know. Did you discuss already the arms embargo that the Brits have and the fact that it appears that some small arms have been sold by China to Zimbabwe? And what we're doing? What was our intercession, if any, with reference to all of that?

A. The Department is certainly aware of the British government's decision announced on May 12, 2000 to suspend military assistance to Zimbabwe and to halt arms sales to that country. In numerous discussions with British officials on Zimbabwe since that announcement, the arms sale ban has not been a central topic of discussion.

We are also aware of reports that Zimbabwe has been purchasing arms from China and other suppliers. These are perfectly legal and normal transactions between the government of Zimbabwe and third countries. We have not discussed these reported transactions with either Zimbabwe, China or other third parties. There are no international prohibitions on arms sales to Zimbabwe.

As a matter of policy, the United States has not approved any sales of lethal equipment to the Zimbabwean military since that country's military intervention in the Democratic Republic of Congo in August 1998.

6/13/2000

Request for additional information on HIV/AIDS in Zimbabwe

Q. Also, in regard to the HIV virus and AIDS, is it more prominent in the cities or is it more of a problem in the rural communities, to your knowledge?

A. According to UNAIDS (www.unaids.org) country data, this is the assessment of the epidemiological situation regarding HIV prevalence among two groups of patients broken down by rural and urban categories. It does not indicate how the total estimated 25.06% of adults and children living with AIDS in 1999 in Zimbabwe breaks-out along urban and rural populations.

Antenatal clinic attendees

- In the major urban areas (Harare, Bulawayo, and Chitungwiza), HIV prevalence over time goes from 10% (1989) to 36% (1994) to 30% (1997).
- In data collected at 31 sites outside of Harare (rural), prevalence goes from 12% (1990) to 37% (1995) to 30% (1997).

Sexual Transmitted Disease Clinic patients

- In Harare, HIV prevalence was 52% (1990), then 71% (1995)
- Outside Harare, 6% (1987) to 72% (1996)