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ZIMBABWE: FROM CRISIS TO RENEWAL

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BEFORE THE

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH

OF THE

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ZIMBABWE: FROM CRISIS TO RENEWAL

THURSDAY, DECEMBER 2, 2010

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

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 2172, Rayburn House Office Building, Hon. Donald Payne (chairman of the subcommittee) presiding.

Mr. PAYNE. The hearing of the Subcommittee on Africa and Global Health will come to order. Our topic today is Zimbabwe: From Crisis to Renewal.

Good morning. Let me welcome all of you here today in regard to this very important hearing entitled: "Zimbabwe: From Crisis to Renewal." This is the second hearing that I have held this year on Zimbabwe, so it is testimony to the fact that we feel that Zimbabwe is a very, very important country and that we need to focus on it to see if we can move it from its past and current situation to an improved one. We think that it is important that we continue to debate over U.S. policy toward that country.

At our last hearing, I gave a brief overview of Zimbabwe's great history, because in the midst of ongoing political and economic crisis that continues to plague Zimbabwe, its past rich history is often forgotten. As we will hear from our esteemed witnesses, there is still hope for the renewal that so many seek in Zimbabwe.

However, serious challenges remain. That is one of the purposes why we are still focusing on Zimbabwe. The purpose of this hearing is to explore those challenges and to discuss the ways that U.S. policy can have a positive impact. It is very easy to chastise and to sanction and to isolate. It is very difficult to try to see how we can have a transformational policy to see if we can bring a country from its doldrums into the new millennium as we speak.

In September 2008, the Global Political Agreement, the GPA, was signed between the Zimbabwe African National Union Patriotic Front, ZANU–PF, led by President Robert Mugabe; the Movement for Democratic Change, MDC, led my Prime Minister Morgan Tsvangirai; and the Movement for Democratic Change Mutambara, MDC–M; and a coalition government was formed. Since then, important progress has been made, yet serious challenges remain and the people of Zimbabwe continue to suffer. Due to the difficult economic and security conditions an estimated 3 million people fled Zimbabwe for South Africa and unemployment rates have reached over 90 percent. Civil society groups, labor unions, and other eco-

nomic groups continue to face harassment and intimidation from ZANU–PF-ruled security forces.

We are now 2 years since the GPA was signed. In Zimbabwe, as we have seen in our countries, most strikingly in Sudan, whose own CPA, Comprehensive Peace Agreement, is in danger of failure, agreements do not of themselves bring peace. The agreement is merely the foundation upon which a peace and a process of change can be built. It is a framework. And we tend to want to hope that the framework will work. But as we have seen, it is difficult and many times unattainable.

In the case of the GPA, many see it as having already failed because ZANU–PF still controls much of the power in the coalition government. However, I believe that there are elements within the coalition government, not just in the opposition, who want to see real change in Zimbabwe and with whom we can work to improve the lives of everyday Zimbabweans.

The new government has faced formidable challenges to responding to widespread humanitarian needs, including addressing a serious cholera outbreak in 2008 and 2009 that claimed more than 4,000 lives, and in implementing the reforms necessary to repair a badly damaged economy.

Despite odds that seem stacked against progress, improvements have been made in several sectors by the new government. Ministers from MDC, particularly the economic reforms by Finance Minister Tendai Biti, present what many Zimbabweans and the international community, myself included, believe is an opportunity to push for political reform and economic recovery.

Proof of the growing sense that Zimbabwe is slowly moving in the right direction is the recent establishment of the Enterprise Zimbabwe founded by Sir Richard Branson, Pam Omidyar of Humanity United, and Nduna Foundation, which seeks to attract investments toward Zimbabwe's economic and social recovery.

Although I remain concerned about the harassment of opposition and civil society activists by ZANU–PF elements, the human rights situation has improved, though modestly.

I had the opportunity to meet with President Mugabe in the spring of 2009, the first meeting of a U.S. official in several years, and it lasted for several hours. And I shared with him my concern over the lack of implementation of GPA and the continued harassment of human rights groups like Women of Zimbabwe Arise—WOZA—and opposition activists. And we had a very thorough discussion about that where he was ready to deny that it was perpetrated by his government but that these were things that happened. And we did see a downturn in the attack on the women immediately following our meetings. However, we have seen problems arise again.

Despite the economic turnabout begun by Minister Biti, the majority of Zimbabweans face enormous challenges and live on less than $1 a day. Other challenges that remain include the approval of a new constitution that reflects the will of the people and the security sector reform, which is extremely important.

As I have previously stated, the method of redistribution of land from white land owners to political allies of President Mugabe was misguided and wrong. However, the land issue is a real problem

in the region, and I am committed to seeing a just and equitable distribution of land throughout Southern Africa consistent with the rule of law. We can't say that the problem does not exist. However, a solution to the problem has to be in an equitable way.

I am also concerned about the impact that the indigenization law, enacted earlier this year, which requires all firms to have majority black shareholders, will have on the ability to attract investment.

These are things which I would like to continue to engage President Mugabe on in a constructive way. The injustices left behind with the legacy of colonialism must be seriously addressed. They do not go away. However, it may be a more constructive way to look at other models for redressing these wrongs, such as the Black Economic Empowerment Program in South Africa.

Let me again state that this is a serious issue that must be addressed. Again, I believe Zimbabwe is at a critical juncture, which requires real leadership from the U.S. to engage other donors in the renewal of Zimbabwe's political, economic, and social structure.

Currently, U.S. policy cannot take full advantage of the changing realities in Zimbabwe because of restrictions on assistance in certain key areas. I believe with greater flexibility the administration would be able to do just that.

To that end, earlier this year I introduced the Zimbabwe Renewal Act, H.R. 5971, which would provide the following: One, cancellation of Zimbabwe's debt; support for full implementation of the GPA assistance for democratic and judicial reform, economic recovery, human rights, labor rights, press freedom, health care, education, clean water, agriculture, and youth employment; support for land reform; technical assistance to key ministries; maintain sanctions where needed; and call for a review and removal of certain sanctions if certain conditions are met to support the GPA and the economic, social, and democratic renewal of Zimbabwe.

I hope that, moving forward, this bill will receive wider support of this committee toward working for a better chance for all people in Zimbabwe.

We have an excellent panel of witnesses today. Although the panel is made up of all men, we invited four different women. Women staff wanted me to make sure that I mention this. I wanted to be sure that I mentioned it.

We invited women from Humanity United, Nduna Foundation, Enterprise Zimbabwe, and Zimbabwe Peace Project. And, unfortunately, none of them could make it today. The experts we have today, though, although they are not women, that is clear, I think that they will all do an excellent job.

With that I will recognize our ranking member, Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman, and thank you for calling this very important hearing. And welcome to our witnesses.

We are all familiar with the sad reports from Zimbabwe, recently known as the world's fastest shrinking economy. Before Robert Mugabe, Zimbabwe's dictator president, agreed to a power sharing with the Movement for Democratic Change in 2009, prices were known to double every 24 hours, and for 2008 the IMF reported inflation at 500 billion percent and economic growth at negative 14

percent. Though MDC reforms seem to have broken the hyperinflation, the situation is extremely difficult, with massive unemployment and immigration and broken systems of health care and education.

It is difficult to even grasp the tragedy lived by millions of Zimbabweans. Until 10 or 15 years ago, they lived in one of the most prosperous African countries. Perhaps the most human measure of the suffering caused by economic failure is the decline in life expectancy, which fell from 56 years in 1990 to 44 years in 2008. In the past 2 years, it has risen slightly, to 47.5. These numbers reflect millions of families without moms and dads and probably even more mothers and fathers who have lost their children.

This is not the result of accidental misrule or weak government in chaotic conditions but of Mugabe's ruthless pursuit of total control. He is a declared admirer of the North Korean Juche system. According to the Heritage Foundation's Index of Economic Freedom in 2009, Zimbabwe ranked 178th, right behind Cuba and right in front of, last place, North Korea. His violent harassment of the opposition, human rights activists, and journalists includes torture and death.

But Mugabe and his ZANU–PF party were not able to achieve, the same control over Zimbabwe as the Kim family has over North Korea. Zimbabwean civil society and human rights activists, including the men and women of the Movement for Democratic Change, have heroically organized themselves in opposition to Mugabe. For years, they have understood that the only way forward for Zimbabwe is to throw off Mugabe and the criminal elements of ZANU.

After Mugabe's ease attempt to steal the 2008 election failed, we all hoped that the power sharing agreement that Mugabe was forced to accept with the Movement for Democratic Change and Morgan Tsvangirai would create a new situation. We hoped Mugabe and ZANU–PF security chiefs would have to loosen their choking grip on that country. Unfortunately, this has not happened, nor is there any sign that despite the admirable and often heroic efforts of the MDC that it will happen any time in the foreseeable future.

Mugabe and his lieutenants have managed to keep control over the key level of power, to limit the MDC ministers real authority, often by ignoring them, and to frustrate the purposes of the agreement.

And so now we are back before questions of how U.S. policy can encourage change in Zimbabwe, whether current sanctions on Zimbabwe should be retargeted and how humanitarian aid might be restructured.

I want to note for the record that we are joined at our hearing by Jeff Flake, a member of this committee, obviously. But Jeff Flake actually lived in Zimbabwe between 1982 and 1983 and he actually wrote his master's thesis on Robert Mugabe. So we have a man that has been following this for virtually all of his adult life. And it is great to have him here.

Thank you, Mr. Chairman, for your leadership as well.

Mr. PAYNE. Thank you very much.

Congresswoman Woolsey, do you have an opening statement?

Ms. WOOLSEY. A very short one, Mr. Chairman.

Thank you.

Zimbabwe, I believe, could have been one of the great post-colonial nations in Africa. Instead, President Mugabe plundered his own country, laid waste to a profitable economy, a strong education sector, and a dynamic population. The proud and strong people of Zimbabwe deserve so much better.

So I am looking forward to hearing from our witnesses today and learning if and how our foreign aid assistance is helping to elevate Zimbabwe back to its rightful place as a regional leader in Southern Africa. So thank you for this hearing.

Mr. PAYNE. Thank you very much.

Mr. Flake.

Mr. FLAKE. No.

Mr. PAYNE. Thank you. We will now move into our witnesses' testimony. Let me introduce the four gentlemen before us.

We have with us, first, we will hear from Mr. Steve McDonald. Mr. McDonald is the Consulting Director of the Africa Program and the Project on Leadership and Building State Capacity at the Woodrow Center for International Scholars in Washington, DC, where he has worked since 2002. Mr. McDonald helped to design, initiate, and now manages the Center's leadership capacity building and post-conflict resolution programs in Burundi, the DRC, and Liberia. Mr. McDonald has a master's degree in African Politics from the University of London School of Oriental and African Studies, and has lived on and worked with Africa for 40 years.

Mr. McDonald began his career in Africa in 1970 as an embassy officer in the U.S. Embassy in Kampala, Uganda, and later served in South Africa as the Desk Officer for Angola, Mozambique, Cape Verde, Guinea-Bissau and Sao Tome and Principe. During these years, he served as support staff to the Anglo-American Initiative on Rhodesia that led to the Lancaster House and the Zimbabwean settlement and the Five Power negotiations on Southwest Africa/Namibia. In 1980, Mr. McDonald moved to the nonprofit sector, where he has headed the U.S.-South Africa Leadership Development Program, Aspen Institute's Southern Africa Policy Forum, and was one of those responsible for bringing Mr. De Klerk together with Mr. Mandela for their first face-to-face meeting under the Aspen Institute, a meeting I happened to have the privilege to be at in the apartheid following the release of Mr. Mandela while Mr. De Klerk was still president. He has served as Executive Vice President of the African American Institute. He has also done conflict resolution work in Northern Ireland and Brazil. Mr. McDonald has published, edited, and written for numerous publications.

Next, we have Mr. Sydney Masamvu. Mr. Masamvu is a Senior Political Analyst at the Institute for Democracy in Africa, IDASA. Mr. Masamvu works on Zimbabwean issues with IDASA's States in Transition Observatory. IDASA's States in Transition Observatory provides information and analysis on political developments in countries experiencing a transition or crisis. Mr. Masamvu is a journalist by trade. In addition to his work for IDASA, Mr. Masamvu has researched and written on Zimbabwe for the past 7 years with Brussels-based International Crisis Group and consulted with the Elders Forum on Zimbabwe.

Next, we have Mr. Deprose Muchena. Mr. Muchena is the Deputy Director and the Economic Justice Program Manager at the Open Society Initiative for Southern Africa. Prior to these appointments, Mr. Muchena worked with USAID in the Zimbabwe Mission as Democracy and Governance Adviser. Mr. Muchena is a highly respected human rights defender in Zimbabwe, having been among the founding members of the National Constitutional Assembly and continuing to serve on the boards of various NGOs.

Earlier in his career, Mr. Muchena was at the Zimbabwe Council of Churches, focusing on economic and social rights and the role of the church in promoting and protecting fundamental freedoms and civil liberties.

Finally, we have Dr. Marian L. Tupy. Dr. Tupy is a policy analyst with the Cato Institute's Center for Global Liberty and Prosperity specializing in the study of the political economy of Europe and sub-Saharan Africa. Dr. Tupy has worked on the Council on Foreign Relations' Commission on Angola and advised the Central Intelligence Agency and the U.S. Department of State on Central Europe. Dr. Tupy received his B.A. In International Relations and Classics from the University of the Witwatersrand in Johannesburg, South Africa, and his Ph.D. In International Relations from the University of St. Andrews in Great Britain. Dr. Tupy's articles have been published in a number of outlets both in the United States and overseas. He has appeared on various television programs in the United States and throughout the world.

We welcome this panel.

Mr. McDonald.

STATEMENT OF MR. STEVEN MCDONALD, CONSULTING PROGRAM DIRECTOR, AFRICA PROGRAM, WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Mr. MCDONALD. Thank you, Mr. Chairman. I appreciate your kind introduction.

Congressman Smith, Congressman Woolsey, Congressman Flake, it is a great pleasure to have this opportunity to appear before you. I have had the honor of working with the distinguished chairman, Donald Payne, before over the last 20 years or so, as a matter of fact. He has made allusion to that. And it is really, really a delight to be here again and working with him.

The challenge that lies before us today reminds me a little bit of the work we did in the 1980s on South Africa, where we are dealing with a regime that needed to have some sanctions taken against it, needed to have a strong push to change the way in which things were unfolding there, but at the same time needed to protect the people, needed to work in a positive way to ensure a democratic future. And I think that is the challenge that lies before us today.

I want to begin my oral testimony with a caveat about myself. I appreciate the introduction and all. I was involved very intimately and very early on in 1976 to 1980 with the transition from Rhodesia to Zimbabwe as a U.S. diplomat. And I worked in subsequent years with that country in various other capacities but I haven't visited Zimbabwe in 10 years. And while I stay in close touch with the colleagues who do visit and with Zimbabwean

friends both in and outside of the country, my reflections on the current situation are, of necessity, secondhand.

Therefore, having had a good look at the scope and depth of the testimony that you are about to hear from my colleagues here at the table with me who are going to describe in detail the current state of play and fragility of the Global Political Agreement—the GPA—and the transitional inclusive government and the human rights abuses and the economic situation that besets that country, I think my best focus would be on some aspects of what the U.S. can most usefully do to make a difference in encouraging the renewal of Zimbabwe that we all seek.

In my submitted testimony, written testimony, I elaborate on the record of abuse on ZANU–PF from 1980 to 2008. I talk about the early optimism that I think you referred to, Mr. Chairman, from the international community, and Congresswoman Woolsey, too, and the disappointment now that exists over the human rights abuses, the abrogation of democratic norms, the corruption and mismanagement that has occurred in constituent years.

In response, of course, as we well know, and as detailed in your opening remarks, the international community has responded with an application of a number of sanctions against government officials, redirecting of development aid through nongovernmental channels, statements of strong condemnation of human rights abuses, encouragement of the regional—SADC and Africa Union—peace initiatives, support for the GPA, a new constitution and free and fair elections, but a strong cooling of our bilateral relations.

Although the implementation of a GPA has been painfully slow, the very fact that it exists, that the opposition party, the MDC holds the prime minister's office and other significant ministries mostly focused on the economic and development, has given outside observers some room for optimism.

With signs of recovery in the economy now, continuing promises of cooperation amongst the parties to the coalition government to push through the actions called for by the GPA and a new government in South Africa and dynamics within SADC that indicate the end of a tolerance for the Mugabe regime, legislation has now been offered in both the House and the Senate that would seek to continue to apply pressure to this wayward regime and to the individuals who have not committed to the GPA, while at the same time not exacerbating the damage to the fabric of the economy and the welfare of the people of Zimbabwe; and, more important, looking to the future, fashioning a way to support a viable opposition and encourage a return to democratic governance.

I would caution policymakers as they look at possible policy options to be certain there are some sticks along with the carrots; that monitoring of performance on democracy and recovery be strict and comprehensive and that they do not allow the government to use any lifting of sanctions, however targeted and whatever caveats are applied, as a propaganda victory.

I know my colleagues here will offer some concrete suggestions in their testimony on how U.S. policy and engagement might be shaped in the coming years. Legislation offered by this body and your colleagues in the Senate offer a number of possible avenues for positively impacting the transition.

Let me add only one further thought on one specific aspect of the renewal that has to come and I believe is coming. Based on my own experiences in other conflict and post-conflict countries in Africa, as well as conversations I have had with Zimbabweans currently engaged in pushing for recovery there, I would like to underline an important and often overlooked element in dealing with conflicted societies. Any country emerging from conflict has several common imperatives. They are intuitive but almost always ignored. Trust has been broken and the antagonists to the conflict do not have a sense of interdependence or shared interests. Relationships are torn asunder. Communications are characterized by posturing and accusations. The key stakeholders do not listen to each other and discourse is confrontational. Finally, there is no agreement on how power is to be shared and decisions made. In short, there is no common vision and sense of common identity.

There are tried and tested ways in which antagonists can be brought together to address these issues, rebuild the trust, and form collaborative relations that allow them to solve problems together and move forward while still taking into account the interests of all. Sometimes this approach is listed as reconciliation or conflict resolution, but it is really conflict transformation—changing the way in which people compete, how they think about and interact with each other. At a level where insidious and self-serving interests seem dominant, where the outside world sees no political will from the opposing parties to reach out to each other, this job, of course, can be very, very difficult.

But my program at the Woodrow Wilson Center, as the chairman has mentioned, has been pioneering this methodology for over 8 years in Burundi and the DRC and Liberia with increasing levels of success and the formation of networks of committed leaders to work together for a common future. These are ideas that I have explored with colleagues at IDASA and IDAZIM, who are at the table here today, in Johannesburg, and Search for Common Ground here in Washington and Harare, and we are exploring how best we might be able to assist in the transition as the renewal of Zimbabwe begins to take place.

The points of entry will differ from programs we have done elsewhere, and one might have to start at a local or community level. Civil society, along with political power brokers, must be involved. But it must be a part of any renewal effort, in tandem with or even preceding the setting in place of institutional frameworks and processes, such as elections. Without trust, without a shared vision, without a sense of interdependence and willingness to collaborate, the agendas of democratic governance, development, reconciliation, and recovery cannot go forward.

I am pleased to see that bills now under consideration address this element by providing support for reconciliation efforts, strengthening local government, and encouraging a peace-building process. I hope this remains central to any role the U.S. decides to play.

Thank you very much, Mr. Chairman. I am willing to take any questions.

[The prepared statement of Mr. McDonald follows:]

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

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH
Donald M. Payne (D-NJ), Chairman

December 2, 2010

Testimony By

Steven F. McDonald
Consulting Director
Africa Program
Project on Leadership and Building State Capacity
The Woodrow Wilson International Center for Scholars
Washington, DC

Mr. Chairman:

Subcommittee Members:

Distinguished Guests:

It gives me great pleasure to have the opportunity to appear before this august Subcommittee and before its distinguished Chairman, the Honorable Donald Payne. I have had the honor of working with Chairman Payne for the last twenty years or so on issues of importance to Africa and to U.S./African relations. From the seminal role he played in bringing to a close the Apartheid era in South Africa in the 1980s and early 1990s, to his opposition to President Mobutu in the then-Zaire, to his support for the emerging democracies around the continent in the last decade, Chairman Payne has exhibited a unique and sustained commitment to Africa. It has been refreshing and constructive for those of us in the NGO and policy communities to have a Chair who has accumulated the experience and knowledge that is the hallmark of Chairman Payne, but, more importantly, who truly cares for Africa and its peoples.

I have been lucky enough to have been called upon to contribute from time-to-time some hopefully helpful guidance and insights from my 40 years of living and working in Africa as he and this Subcommittee have looked at ways to respond positively to the unfolding dramas around this magnificent continent. I welcome that opportunity again.

Today, as we look together at the Zimbabwe Renewal Act of 2010, and think about how we might play a constructive role in encouraging the transition to democracy, peace and stability in that troubled country, I must begin with a caveat about my level of knowledge. Although I was intimately involved in the early negotiations that led to an independent Zimbabwe as a U.S. diplomat in 1976-80, and have worked in subsequent years with that country in various other capacities, I have not visited Zimbabwe in almost 10 years. While I stay in close touch with colleagues who do visit, and have friends and contacts within Zimbabwe and in forced exile in South Africa, my reflections on the current situation, and the impact of the international sanctions regime, are, of necessity, second hand.

Therefore, the best use I might make of my time, rather than give a litany of the current state of play, the fragility of the Global Political Agreement (GPA) and the Transitional Inclusive Government, the human rights abuses, and the economic catastrophe that has beset this country, could be to take a brief look back at its history of independence and put in perspective the proposed legislation.

In fact, the independent Zimbabwe that emerged from the long war of liberation and subsequent peace negotiation that culminated in elections in 1980 was a model for sustainable peace processes, heralding in an era of progressive economic, education and development policy, and an open, vibrant society that represented the best hopes of Africa emerging from minority rule. Yet to come were the transitions in Angola, Mozambique, and South Africa, but Zimbabwe stood out against all odds as the country that had gotten it right and gave hope to the other peoples of southern Africa that their aspirations could yet be fulfilled and had become the "breadbasket" of Africa and a booming, progressive, exciting member of the global community

But, all was not as it seemed. I need not reiterate here the brutal campaigns against opposition that characterized the political landscape in Zimbabwe following the electoral success of ZANU-PF in 1980 to consolidate its

power and eliminate rivals like Joshua Nkomo, Josiah Tongogara, Ndabagini Sithole and many others, whose lives were taken or were intimidated or bought into silence. A bandit problem in the ZAPU heartland of Matabeleland provided the pretext for a January 1983 deployment of the North Korean-trained Fifth Brigade of the army, called Gukurahundi - which in Shona means the "rain that washes away the chaff" to engage in a series of massacres of Ndbele supporters of ZAPU that was unprecedented in Zimbabwe. Some, like current opposition party Senator Roy Bennett, deemed it "ethnic cleansing." Bennett, in a November 10, 2010, speech to the UK House of Commons and House of Lords, characterized the period and its impact as follows:

> *"The Gukurahundi has left a huge, festering wound in the Ndebele psyche; it hangs over Zimbabwe like a dark cloud. Not one of the architects of the Ndebele ethnic cleansing has been brought to justice—not a single one. Instead, many have been promoted for their loyalty to Mugabe and Zanu. The commander of the Fifth Brigade, Brigadier Perence Shiri, was later promoted to the head of the Zimbabwean Air Force. He now sits on the Joint Operations Command, a junta which effectively runs Zimbabwe to this day in spite of my party's victory in parliamentary elections of March 2008—a victory that was even grudgingly acknowledged by Mugabe."*

Through subsequent years, this pattern of intimidation and control has continued unabated. There were the now well-known farm takeovers and driving out of farm owners and farm workers. After the formation of the Movement for Democratic Change as an opposition party and its surprising success in 1999 in defeating Mugabe's draft constitution and winning a quarter of the parliamentary seats in the 2000 election, the regime began brutalizing of opposition party supporters and candidates. The most egregious single event was in 2005 in the townships of Harare, where over 700,000 people lost their livelihoods and had their homes demolished in mid-winter, during Operation Murambatsvina - a term that means "drive out the rubbish." This initiative was embarked upon in response to MDC's total control of the urban electorate to demolishing MDC's urban support base and force destitute Zimbabweans to flee to neighboring countries. This violence against opposition party supporters and candidates again characterized the 2008 elections, which were won by the MDC.

Through all of this, the international community, the United States in particular, has had limited options on how to respond. In fact, the situation has presented a real dilemma to policy makers. Part of that dilemma is based on the fact that, in 1980, and the years leading up to that election, there was a struggle here in America on who to support. Remember, and I am sure that Chairman Payne does, that this was in the context of the Cold War and then-myopic policy guru, when sides were taken in accordance with the perceived ideological leanings of individuals and parties. Conservative forces in the United States, and powerful entrenched interests in South Africa and elsewhere, were actively anti-Robert Mugabe, the ZANU-PF leader, who they saw as a Marxist who had received Soviet and North Korean support. Many conservatives favored more "moderate" – that is in quotation marks – leaders such as Bishop Abel Muzorewa, Ndabagini Sithole, or Joshua Nkomo. I know Chairman Payne, and most who knew Africa well, like his predecessor on this Subcommittee, Howard Wolpe, understood the need to support the will of the people, and when Mugabe won an overwhelming victory in the first free and fair elections of 1980, they threw their support behind him. Subsequent behavior by Mugabe and his regimes, as they consolidated and perpetrated their hold on power, including eliminating opposition members, shackling a free press, and corrupting the democratic system, began to paint a different picture of who this man is, and what his true motivations were and are. Outside observers have been dismayed at the seeming transformation that occurred.

But, this early optimism from the international community makes the recent history of Zimbabwe, which is fraught with human rights violations, abrogation of democratic norms, corruption and mismanagement of an unimaginable proportion, all the more frustrating to policy makers the world over who watched Zimbabwe's birth and first years of existence with pride and hope.

Recent years, as stated above, have dimmed the aura that once surrounded Mugabe and independent Zimbabwe. But, the potential and hope for a nation naturally endowed with an industrious people, huge natural resources, and agricultural wealth, has created a dichotomy for policy makers: How to penalize a wayward regime and the individuals who run it, while at the same time not exacerbating the damage to the fabric of the economy and the welfare of the people of Zimbabwe, and, LOOKING TO THE FUTURE, how to support a viable opposition and encourage a return to functioning democracy.

This dichotomy has manifested itself in the application of a number of sanctions against government officials, a redirecting of development aid through non-government channels, statements of strong condemnation for human rights abuses, encouragement of regional (SADC and Africa Union) peace initiatives, support for the GPA, a new constitution and free and fair elections, and a strong cooling of our bilateral relations. At the same time, however, the international community has been and continues to be incredibly generous to Zimbabwe, particularly as it focuses on emergency food and relief supplies. Drawing from some statistics I received from Eddie Cross, an MDC official in Harare, foreign aid to Zimbabwe in the past three years has hovered at about $800 million a year – 20 per cent of GDP in 2008 when donors provided food aid for over half the population and 10 per cent of GDP in the current year. Total foreign aid to Zimbabwe since 2000 (all of it in the form of grant aid) has in fact exceeded the total combined foreign aid received by Zimbabwe from independence in 1980 to the year 2000. In 2010, foreign aid has again exceeded $800 million – half of it being disbursed on humanitarian assistance in one form or another. International aid has started to fund the provision of social services very substantially - $200 million to health, over $100 million to education and $50 million to water and sanitation. Nearly 90 per cent of this has come from a group of States that call themselves the "Friends of Zimbabwe," a group started by Tony Blair in 2007, which includes the United States. The U.S. provides one third of all aid, the UK with 14 per cent, Germany and Norway with about 7 per cent each. The UN Agencies are quite significant but the bulk of their efforts are funded through bilateral donors – of which the Friends constitute the majority of contributors.

As noted in the Findings section of the Zimbabwe Renewal Act, the economy has, in fact, recovered quite significantly in recent years. The latest IMF report gives an estimate of GDP of $8 billion for 2011, up from $4.2 billion in 2008 (90 per cent in three years). Again, according to Mr. Cross, the industrial capacity utilisation is now just over 40 per cent compared to 10 per cent in 2008 and the mining industry has expanded significantly – mainly gold and platinum, although diamonds are emerging as a potential major contributor. The financial sector has recovered with deposits now standing at $2.4 billion and rising by about $80 million a month.

So, this Bill comes before Congress and the American people at a time when there are signs of recovery in the economy, there are promises of cooperation among the parties to the Coalition Government to push through the actions called for by the GPA, and there is a new government in South Africa and dynamics in SADC that indicate an end of their tolerance of the Mugabe regime. Its intent, as I read it, is to fully condemn the atrocities and depravations of the recent past, but to look for some thread of hope - some way to get around this government that turned so dramatically away from its people to focus only on perpetrating its own power and privilege – to find a way to help this long-suffering people in their recovery and transition back to democracy.

But, at the same time, it wants to throw out some "carrots" to encourage sustained movement forward, to provide mechanisms and resources that would allow a measured, and tightly controlled flow of assistance to those who have suffered, and those who are working hard for reconciliation and good governance throughout the country; and to lay a foundation for training, education and recovery and the functioning of democratic institutions such as the judiciary and the press. If I understand it correctly, any such assistance is dependant on a determination by the President and/or the Secretary of State of the United States that progress is being made in alleviating the suffering of the Zimbabwean people, and guaranteeing the ultimate outcome of the GPA, which is a new constitution and a free and fair election whose results are honored by all parties.

I think carrots are warranted, but the questions that we need to ask ourselves is has this generous international aid and subsequent economic recovery, described above, deterred the ZANU-PF ruling click from its gross behavior? Has it in any way begun to change the strategic balance between forces for democracy and the old regime?

I would only caution the authors of this bill to be certain that the "sticks" don't get lost among the "carrots," that the monitoring of performance on democracy and recovery be strict and comprehensive, and they do not allow the current government to use any lifting of sanctions, however targeted and whatever caveats are applied, as a propaganda victory. The ZANU-PF government has become adept at blaming the "illegal sanctions against Zimbabwe," as they call them, with holding back its economic recovery and inhibiting its industrial and agricultural sectors. It blames opposition party members for fomenting any violence or abuses against the population. In

fact, it has been the clear policies and actions of ZANU-PF that have resulted in this situation, but they continue to live in denial, blaming everyone else, domestic and international, for the state of affairs in which Zimbabwe finds itself.

Let me end by citing one example of language in the Bill which leaves itself open to propaganda advantage for ZANU-PF and abuse of the intent of the legislation, I perfectly understand why the Bill, in Section 6 (c)(1)(a), advocates lifting of sanctions against financial institutions that provide lines of credit to communal farmers, civil servants and pensioners, but I can't understand the leap to instructing U.S. Executive Directors at all international financial institutions of which the U.S. is a member to, and I quote, "vote in favor of programs proposed or being considered by (that financial) institution for Zimbabwe." It seems to me the better policy option, and way of maintaining leverage, is to ask our delegates to international financial institutions to examine any request for Zimbabwe carefully, and make a determined and informed judgement on whether it is responding to supportable development or humanitarian needs and is not, in any way, underpinning ZANU-PF individuals or objectives.

Beyond this, the support for youth employment; strengthening rule of law and human rights compliance; crucial development assistance in health care, agriculture, education, clean water, and land reform; and reconciliation and democracy promotion is laudable. This is work that needs to be done. But, Mr. Mugabe has manipulated the good intentions of international donors before. I am pleased to see that all lifting of sanctions and decisions to supply aid funds are predicated on a determination by the President of the United States that steps are being taken to strengthen human rights and rule of law, to implement the GPA, and secure a future for all Zimbabweans. That is as it should be. Monitoring has to be essential to meeting the objectives of this Bill.

If my view is jaundiced on ZANU-PF intentions, it is born of over 30 years of disappointment for this once promised government. We must maintain this caution, while realistically trying to move the ball forward and support the very people who have suffered so much. Let us hope that we are at the beginning of a new era.

Mr. PAYNE. Thank you very much.
Mr. Masamvu.

STATEMENT OF MR. SYDNEY MASAMVU, POLITICAL ANALYST, INSTITUTE FOR DEMOCRACY IN AFRICA (IDASA)

Mr. MASAMVU. Thank you, Mr. Chairman, and members of the committee, for inviting me and my organization. We look forward to testifying to this committee.

Mr. Chairman, it is an honor for me to talk about: Zimbabwe: From Crisis to Renewal. But I want to state from the outset that Zimbabwe faces a critical 6 months. The honeymoon which has been enjoyed over the past 18 months is a result of the formation of the inclusive government, which brought some semblance of stability and peace, is about to end.

In coming to the new year, Zimbabwe will enter into an election mode. I believe before we even look forward to the renewal of Zimbabwe, we need the U.S., along with other actors, need actually to be on top of the situation and try to influence events in the next 6 months which have the capacity to bring Zimbabwe back to the period of March 2008.

Two critical elements are looming large with regard to the situation unfolding in Zimbabwe in the next 6 months—the election process and the key role of the military in that particular election.

I think, Mr. Chairman, it is important to note that the issue in Zimbabwe is no longer about the credibility of elections or the perceived outcome of the elections. The critical issue in Zimbabwe is about the power transfer. It is important right now that any intervention in Zimbabwe has to smoothen the key elements which undercut or which undermine the voice of the people, which they have done, which they have spoken to over the past 10 years.

Any process or any legislation which can be pushed from wherever source which marginalizes and underlooks the key role played by the military in the Zimbabwe crisis will actually achieve nothing to push the transition forward and return the country to democracy. The military which is the one which actually for the past 18 months has actually been dictating the course of events in the inclusive government. All the issues which are sort of the fractionality of the inclusive government has largely been undermined by the key role played by the military, which behind the scenes is the one which is playing a key role of driving the leaders of power in Zimbabwe.

So as we move forward I think the immediate objective in the next 6 months, before we even talk of renewal, is actually to influence the issue of the election process and try to structure a transition process which takes on board the concerns of the military, which by extension is taking on board the concerns of President Robert Mugabe.

Over the past 8 years it has been quite clear that the restrictive measures which have been put in place have failed to a very large extent to achieve the objective which they have set out to do. The restrictive measures were put in place to encourage the return of Zimbabwe to the rule of law, to promote good governance, and actually to encourage those undermining democracy in Zimbabwe to change course. But, alas, 8 years down the line those measures

have not achieved the set out objectives. And we believe going forward it is actually important that the restrictive measures we have put in place because of a flawed election and the upcoming election, whenever it is held, should actually set out the platform in which the whole issue of restrictive measures should be viewed within the context of an election process.

It is our considered view that unless the U.S., working through the AU, SADC, and with South Africa, the U.S. should actually take a leading role in actually bringing together the key elements within the region and on the continent to actually smoothen the transition process in Zimbabwe and broaden the platform—not only look at restrictive measures, but also looking at the concerns, fears of the military establishment, which is actually key in smoothening the transition process in Zimbabwe. If those issues are not addressed, critically the issues which affect the military, I think it would be premature for us even to talk of a Zimbabwe renewal before we talk actually of influencing the key elements which are actually extending the way of democratization.

I thank you, Mr. Chairman.

[The prepared statement of Mr. Masamvu follows:]

Testimony
to

U.S. House of Representatives
Committee on Foreign Affairs
Subcommittee on Africa and Global Health

Prepared Statement of
Mr. Sydney Masamvu,
Senior Political Analyst
Institute for Democracy in Africa (Idasa)
Thursday, December 2, 2010

Mr. Chairman and Members of the Committee:

My name is Sydney Masamvu, I am a political analyst at Idasa and I am Zimbabwean. It is an honour for me to be able to speak to the Committee as we seek a way forward in Zimbabwe's ongoing crisis.

As you are aware, Idasa is an African democracy institute that works to build sustainable democratic societies across the African continent. Based in Africa, staffed by Africans, working for Africans, Idasa has a demonstrated track record of building the capacity of communities to address democratic challenges. Idasa presently works in 24 countries on the continent in collaboration with African and global partners.

Idasa has assisted Zimbabwe's human rights defenders and aided its transition to democracy for over 10 years. Idasa works with and supports local partners such as the Research and Advocacy Unit (RAU) and Women of Zimbabwe Arise (WOZA). Through donor support, Idasa provides assistance to democratic forces through mediation and negotiation, institutional strengthening, and capacity building to civil society organizations, and undertakes significant research and advocacy.

The political and economic crises that the people of Zimbabwe witnessed both before and after the pyrrhic 2008 elections have stabilised since the signing of the Global Political Agreement (GPA) and the formation of the inclusive government. The inclusive government, with few resources, managed to prevent the imminent collapse of Zimbabwe. Attacks on human rights defenders, journalists, and the members and supporters of the Movement for Democratic Change (MDC) have decreased. The introduction of the U.S. Dollar and the South African Rand have curbed inflation, increased the availability of goods and services, and encouraged public sector employees to return to work.

Currently, whether or not a new political deal lies behind the calls for an election, history teaches us that violence will form part of both the pre- and post-electoral environment and, that another elite pact is unlikely to presage a sustainable transition.

Current Environment in Zimbabwe and the Region

We recognise that the constraints placed on the international community during the negotiations that led to the GPA became a missed opportunity for the international community to leverage reform in Zimbabwe. At best, the GPA was a cosmetic approach designed to halt overt state-sponsored violence that threatened to destabilise the region. Nevertheless, in between the flawed and violent March 2008 elections and the formation of the inclusive government in February 2009, the United States missed an opportunity to wed its Zimbabwean policies with the process that led to the GPA. This damaged its ability to influence and re-engage Zimbabwe and the region.

The restrictive measures placed on individuals responsible for undermining the rule of law, perpetuating flawed elections, and inciting violence should be reviewed in the context of the constitutional referendum and new elections. They should better reflect the current situation in Zimbabwe.

Zimbabwe is under de facto military rule. This is not an illusion. Both President Robert Mugabe and the inclusive government are being held hostage by a cabal of military elites commonly referred to as the "Securocrats". Military leadership is on record stating that they will not recognise any individual who did not fight in Zimbabwe's liberation struggle – an indirect warning aimed at Prime Minister Morgan Tsvangirai. This lack of political will amongst Zanu-PF and the military to uphold the GPA has created an untenable political environment. As such, Mugabe and Tsvangirai have openly called for elections to break the current impasse.

The GPA disregarded the issue of security sector reform. As we prepare for the next election, we are witnessing the remilitarisation of Zimbabwe as the Securocrats attempt to seek to influence and manipulate Zimbabwe's transition. Significant levels of intimidation and violence have been reported on during the constitutional outreach process. Additionally, the militarisation of the Chiadzwa diamond fields in eastern Zimbabwe has raised alarm as it has become, in addition to land seizures, another channel for Zanu-PF elites to expropriate economic resources for political and monetary gain.

While there is sharp internal disagreement over Zimbabwe's preparedness to stage an election, the rallying of the women's league, youth league, and war veterans as well as increasing reports of intimidation and violence in rural areas are indicators that Zanu-PF is indeed preparing for elections.

A peaceful transfer of power remains the most crucial missing aspect to Zimbabwe's democratic transition. It should be remembered that the MDC has won elections since 2000; however, a transfer of power has never occurred. Real power lies within the security sector.

Speaking to Idasa this past July, Prime Minister Tsvangirai acknowledged that Zimbabwe's "power paradigm," poses the most serious threat to stability. The main question we are currently faced with is, "how do you get those in power to peacefully accept the will of the people?" It is widely believed that Zimbabwe's generals and high-ranking military officials are deeply concerned for their lives, wealth and families. Many point to the example of how Charles Taylor was betrayed by his close associates and sent to The Hague as an excuse to use any means necessary to consolidate Zanu-PF's position at the top and secure their own interests.

South Africa is taking the lead along with other African states, including Namibia, Mozambique and Angola, to ensure a peaceful transition within a post-Muagbe Zimbabwe while paying critical attention to the role the military will have in any transition process.

Currently, the African Union is managing the Zimbabwe crisis through efforts led by the Southern African Development Community (SADC). SADC, by way of South Africa, should be the main guarantor of the GPA, elections and a transfer of power. South Africa wants to be seen as delivering the removal of restrictive measures. However, the South African government will not enforce punitive measures on the inclusive government for insubordination of the GPA because they do not want to be viewed as a hegemonic power.

Political and Economic Impact of Restrictive Measures on Zimbabwe

The objectives of restrictive measures placed on top government officials, their associates and affiliated entities for undermining the rule of law, perpetuating flawed elections, inciting violence, and creating an overall environment of instability have largely failed to curb the undemocratic behaviour of these individuals.

Travel restrictions have not seriously impacted targeted individuals. The restrictions have not been well-coordinated among the international community. This policy discordance has undermined the credibility of the restrictions and raised questions as to the real motives of Western restrictive measures, particularly among African states. The United States' and the European Union's restrictive measures have incorporated almost all prominent Zanu-PF government and party officials, their personal businesses and parastatals. This style of broad targeting weakens efforts to encourage reformist elements within Zanu-PF, as well as qualified personnel and resources[1]. Additionally, international protocol allows heads of state to attend international meetings, regardless of travel restrictions.

The logic behind targeted financial sanctions, which include freezing the assets of targeted individuals and entities, is to restrict their financial transactions and in the process reduce their economic muscle. The costs to such targets include not only the money and assets that have been frozen but also the opportunity cost associated with the measures. While the former is easily quantifiable by looking at the financial statistics, the opportunity costs arising from the prohibition are almost impossible to quantify[2]. In the case of Zimbabwe, there is no evidence to date that Zanu-PF and its allies have been seriously affected by the measures or asset freezes.

Without fiscal budgetary support from international finance institutions and bilateral loans, Zimbabwe's budget deficit has had to be financed from the country's contracting domestic bank sources which has increased inflation. Limited balance of payment support has continued to threaten the performance of the Zimbabwean economy after the formation of the inclusive government.

Ordinary Zimbabweans have been indirectly affected by the decline in Official Development Aid (ODA). The scaling down of ODA in the last few years has seriously affected many poor communities which have, since independence, relied on financial support from development partners. At the same time, the withdrawal of bilateral aid to the government, coupled with the pillaging of limited resources through corruption, has seriously undermined the government's capacity to deliver basic services like health and education to members of poor communities.

Humanitarian assistance for vulnerable communities has been revived under Humanitarian Plus. However, under the current restrictive measures, many of the Western development assistance organisations have preferred to focus on short-term humanitarian assistance rather than long-term development assistance. This intervention strategy is less effective in helping communities deal with their chronic vulnerabilities[3].

Foreign investment has yet to seriously take root as the political environment continues to be unstable. As with many of the farm seizures, legislation such as the Indigenisation and Economic Empowerment Act does not benefit the wider population but rather those individuals that the government appoints to take control of certain companies.

Recommendations for Future U.S. Policy towards Zimbabwe

Zanu-PF has used the restrictive measures as propaganda, as a negotiating tool, and as a pretext for non-implementation of democratic reforms and the maintenance of power structures and patronage. Zanu-PF has repeatedly branded restrictive measures as illegal sanctions that are designed to make Zimbabwe a "colony" again. The party has refused to make further concessions within the framework of the GPA, whilst applying pressure on the MDC to seek the removal of all restrictive measures. Zanu-PF blames the MDC for its "failure" to remove the restrictive measures. This issue is likely to re-emerge at the party's Congress to be held later this month, further entrenching their intransigent position.

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[1] U.S. Senator Russ Feingold, ""Feingold Statement Upon Introducing New Legislation on Zimbabwe – For the Congressional Record," http://feingold.senate.gov/record.cfm?id=324648, 4 May 2010.

[2] UK Govt House of Lords, *The Impact of Economic Sanctions Vol.1 Report,* (Select Committee on Economic Affairs Second Report of Second session 2006-07), p.24.

[3] J. Muzondidya, *Zimbabwe Context Analysis for Oxfam's Strategic Planning Process.* (Consultancy Report for Oxfam Zimbabwe, March 2010).

The international community must take a unified and explicit line stating that restrictive measures are aimed at individuals and not at Zimbabwe, while reiterating that the measures have nothing to do with the GPA. Restrictive measures should only be removed after credible elections are held and a smooth transfer of power takes place and even then, only against those who are not undermining the GPA.

Idasa recommends a process that calls for the calibrated removal of restrictive measures tied to six benchmarks: security sector reform, a credible voters' roll, an independent electoral commission, media freedom, a constitutional reform process, and a land audit, all in cooperation with SADC vis-à-vis South Africa:

Benchmark 1: Preliminary Security Sector Reform
Security sector reform remains the most potentially destabilising and outstanding issue to be addressed. There has been no movement towards implementing the security sector reforms captured in the GPA. Any policy prescription which marginalises the role of the military within the structures of power will be futile. Now is the time for the United States, the European Union, SADC and South Africa to lay the groundwork for an engagement process that takes in the concerns of military leadership, and by extension, the concerns of Mugabe.

Restrictive measures must be used to get those in Zanu-PF and the military to accept the will of the people and ensure a smooth and peaceful transfer of power. The military is the last remaining portion of Mugabe's support base. A deal, while difficult to make, will allow Zimbabwe to define a new leadership dispensation. Measures can also be used in a manor that encourages moderate actors within Zanu-PF to step forward and engage the MDC and other stakeholders, while targeting those actors who are supported by the military.

The international community should position themselves behind South Africa, as a member of SADC, to drive forward the issue of genuine security sector reform. Finally, security forces need to disengage from the electoral processes; in particular individuals with security sector ties should be removed from the Electoral and Constitutional Commissions.

Benchmark 2: A Credible Voters' Roll
A revised voters' roll is a necessity. The voters' roll is widely believed to be highly inflated. The voters' roll must be entirely redrawn by non-partisan local and international professionals before the constitutional referendum takes place. Control over the voters' roll must be held by a fully independent electoral commission if any future roll is not to be compromised.

Benchmark 3: An Independent Electoral Commission
Zimbabwe needs a non-partisan, independent electoral commission which will ensure the credibility of electoral monitors and the voters' roll, permit fair campaigning of political parties, accredit media and other groups to monitor on the day of the election and analyse the process as a whole. Both the constitutional referendum and the next general elections are highly dependent on the capacity and impartiality of this body.

Benchmark 4: Media Freedom and the Establishment of a National and Independent Radio Station
The Access to Information and Protection of Privacy Act, the Public Order and Security Act and the Broadcasting Services Act continue to obstruct freedom of the press as defined under Article XIX of the GPA and should be repealed. On November 17, 2010, Nqobani Ndlovu, journalist for The Standard weekly newspaper, was arrested and remains imprisoned in defiance of a magistrate's order calling for his release on bail. Ndlovu reported that the annual police promotions had been cancelled and war vets and retired police officers were being recruited instead, allegedly to help Zanu-PF secure victory in the next elections. Members of this Committee and Congress should stand shoulder-to-shoulder with Mr. Ndlovu and demand his release.

Radio is the main source of information for Zimbabweans. The establishment of an independently operating national FM radio station is widely regarded as a litmus test that can be used to publicly demonstrate Zanu-PF's commitment to the GPA. Congress should

continue to find channels to assist members of civil society in maintaining freedom of speech among the imperative issues that need to be addressed for Zimbabwe's transition.

Benchmark 5: Constitutional Reform Process
The constitutional outreach process, the second to take place in a decade, has recently been concluded. The Constitutional and Parliamentary Affairs Minister, Eric Matinenga, told Idasa that the constitutional outreach component of the process is the most important. However, violence and intimidation initiated by Zanu-PF sponsored youths and war veterans was rampant and has seriously eroded the credibility of the outreach.

It is imperative for a credible voters' roll and independent electoral commission with the proper technical skills to be in place before a constitutional referendum is held. The will of the people should be taken into account. There are mixed indications as to whether or not a constitutional referendum will occur before general elections, which that are speculated to be held in 2011. Pressure should be applied to ensure that a referendum does take place, in a free and fair environment, prior to any general election.

Benchmark 6: Land Audit
A two-year land audit that was scheduled to begin in early 2010 was blocked by Zanu-PF and the war veterans. Mugabe has consistently argued that he is righting the wrongs of the colonial era in which land policies were discriminatory and land distribution was unequal. Mugabe and Zanu-PF have framed the land issue within the context of Western imperialism and neo-colonialism.

The appointment of an international mediator should be considered. Former UN Secretary General Kofi Annan's mediation in Kenya's power-sharing deal following the 2007 crises should be used as a model. The European Commission has offered to fund the audit, and insists the process should be "inclusive, transparent and comprehensive". The composition of any land commission needs to consist of local, regional and international experts to achieve widespread legitimacy.

Concluding Comments

If free and fair elections are held, an elongated coalition government is the most probable scenario for the next decade. It is likely a new coalition government will continue with the MDC-T seeking alliances with Zanu-PF reformers. Prime Minister Tsvangirai has signalled the party's willingness to form an inclusive government and has stated that, with 30 years of running Zimbabwe, Zanu-PF's expertise will be needed in some areas. Restrictive measures should be maintained on those individuals and entities, of any political affiliation, that continue to undermine the progress and stability of Zimbabwe.

Diplomacy remains a vital cog in Zimbabwe's democratic transition. Engaging members of the African Union, especially SADC's neighbours, is necessary to work toward creating a unified African voice, engaging other African leaders around SADC's strategy and working to shift SADC's position toward greater inclusion of civil society.

Finally, direct and indirect American assistance aimed at maintaining a vibrant African civil society as well as humanitarian assistance - specifically in the areas of security, health, education and infrastructure - continues to positively impact the lives of Zimbabweans.

Mr. Chairman and members of the Committee, I request that the entirety of my statement and additional materials be submitted for the record.

Thank you.

Mr. Sydney Masamvu is a Senior Political Analyst at the Institute for Democracy in Africa (Idasa). He works on Zimbabwe issues within Idasa's States in Transition Observatory. Idasa's States in Transition Observatory provides information and analysis on political developments in countries experiencing a transition or crisis. Mr. Masamvu is a journalist by trade. In addition to his work for Idasa, he has researched and written on Zimbabwe for the past seven years with Brussels-based International Crises Group and has consulted with the Elders Forum on Zimbabwe.

Idasa has received the following indirect funds from the United States Government in 2010:

1. Funding from the National Endowment for Democracy in the amount of US$59,760 for strengthening regional democracy networks in Africa.

Mr. PAYNE. Thank you very much.
Mr. Muchena.

STATEMENT OF MR. DEPROSE MUCHENA, PROGRAM MANAGER, ECONOMIC JUSTICE, OPEN SOCIETY INITIATIVE FOR SOUTHERN AFRICA (OSISA)

Mr. MUCHENA. Thank you, Mr. Chairman and honorable members of the committee. I appear before you as a very patriotic Zimbabwean who is part of a post-colonial generation in Zimbabwe but trying very hard to have a role to play in the progress of our country. I want to underscore the points already made by Mr. Masamvu, which is to say the next 6 months represents a critical crossroads for Zimbabwe because what we have seen is the return of election talk without implementing fully the requirement of the Global Political Agreement, which would allow a credible election to take place and transfer of power to take place and a legitimate democratic government to become the product of that. That has always been the purpose of the GPA, to facilitate the transition of Zimbabwe from crisis to renewal.

Four critical goals of the Global Political Agreement are overdue for delivery. The first is a new constitution approved through a popular vote; the second is a free and fair media environment; the third is a reformed electoral system with a clean voters' law that doesn't have ghost voters on it. The fourth and last is an agreed-upon package of security sector reforms that would facilitate non-interference of the military in the conduct and running of elections. These four things have not been delivered, and they have therefore undermined progress that had been hitherto achieved on the economy since the inauguration of the inclusive government.

Last week, on the 25th of November, on Thursday, the Minister of Finance submitted a budget to Parliament for 2011. The total budget is $2.6 billion. And of that, 82 percent of that budget is going to go toward financing recurrent expenditure and only 18 percent is going to be for capital investment. That represents a precarious position on the part of Zimbabwe. And if you have the national debt of $6.7 billion, then you can see that Zimbabwe needs to pass a similar budget for the next 3 years to finance the debt, and it has become the albatross around Zimbabwe's neck.

So limited political movement and reform is beginning to undermine economic progress, and the inability of the government to finance the debt is creating mutually enforcing political and economic crisis. The view of this more fully appears in my statement.

I think there are about four things that we need to be supporting. It is time, in my view, for leadership and not necessarily legislation, because post-election, that is when you can actually provide legislation that responds and rewards or punish. The U.S. Government would need to renew its leadership role with SADC. It is the African Union Sharm el Sheikh resolution that resulted in the GPA's coming into place. We need to bring the AU back into the fold, ensure that there is a special envoy working with SADC, to make sure that progress is made. We need the U.S. Government to really encourage much more robust audits of what has happened to date. We also need the U.S. Government to freeze the legislative

process and use its diplomatic muscle to ensure that the two submissions I am making are achieved.

The final part, because of elections that are coming, in the absence of freedom and in the absence of funding, we need to establish or the establishment of a Zimbabwe election fund, which is managed by the U.N. That ensures that the Zimbabwe Election Commission is ready to carry out elections. Last week, the budget statement did not make available resources for running the election. It only says there should be an election fund. So it creates serious problems if you talk about election without supporting the resolution of those elections and financing.

The last one is really a much more sharper focus on the role the military has played in Zimbabwe. It is important to re-energize the focus of SADC and the AU so that the military can move away from the premise of supporting regime security toward supporting human security and development. We have no role in modern democracies for the military to leave the barracks and begin to be involved in processes of election management or even governance.

I think I am prepared to take any questions, as appears more fully from my statement. Thank you very much.

[The prepared statement of Mr. Muchena follows:]

STATEMENT OF
MR. DEPROSE MUCHENA
DEPUTY DIRECTOR
OPEN SOCIETY INITIATIVE FOR SOUTHERN AFRICA (OSISA)

Before the

HOUSE COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH
"ZIMBABWE: FROM CRISIS TO RENEWAL"

WASHINGTON DC, THURSDAY 2ND DECEMBER 2010

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

Mr. Chairman and Members of the Committee, representatives of various stakeholders, it is indeed a great honour for me to appear before this hearing today to give a testimony on "**Zimbabwe: From Crisis to Renewal**".

Most Zimbabweans are desperate to see their country emerge from the crisis and trauma of the past decade and rejoin the international family of nations – as a fully functioning, democratic state. Many saw the Global Political Agreement of 2008 as the best road map towards renewal. Unfortunately, the GPA has not lived up to its promise and many Zimbabweans now fear that the transition process has been fatally undermined and that their hopes of a more democratic and more open society will be dashed. However, progress is still possible – as long as the international community, particularly the United States, remains fully engaged and committed to genuine change.

I am appearing before this distinguished subcommittee to testify from two perspectives. Firstly, I am a patriotic Zimbabwean – here to speak on behalf of many of my compatriots back home and in the diaspora, who seek the renewal of their country, but who do not have the opportunity to speak to you directly. And secondly, I am here to represent my organization, the Open Society Initiative for Southern Africa (OSISA), which is a human rights and governance foundation based in Johannesburg – with a mandate to work in southern Africa to help build vibrant and tolerant democracies. I know – both personally and professionally – that there is still hope for Zimbabwe and that hearings such as this can make a difference and can help to reward the patience and resilience of so many of my fellow Zimbabweans, who continue to struggle to survive in the hope that their ravaged country will be renewed.

Summary and Recommendations:

Two years after the signing of Zimbabwe's Global Political Agreement (GPA) in 2008, the transition towards a fully democratic state continues to be piecemeal and painfully slow. There are fears that Zimbabwe will enter 2011 with little prospect of a legitimate constitution or credible elections and, worse yet, could see a return to violence, repression, authoritarian rule and economic collapse.

Indeed, talk of elections in 2011 is sending shivers down the spines of many ordinary Zimbabweans, who know that reforms of the electoral system and the security sector have not been implemented and who fear a repeat of the violence, intimidation and suffering that marred the 2008 presidential and parliamentary polls.

Thus far, the success or failure of the transition process has depended largely on the will of Zimbabwe's political leaders and senior security officials, and the diplomatic manoeuvres of the Southern African Development Community (SADC). The international community has taken a back-seat in order to allow the sub-region to address its own challenges. Yet, it is now time to call upon the support of the wider international community – particularly the United States – in supporting a diplomatic solution to a situation that has cried out for too many years for global political leadership.

If the international community remains genuinely engaged and committed to helping Zimbabweans create a viable, democratic state, progress is still possible. If not, the hopes of Zimbabweans for a freer, more open society could well be dashed.

However, the stalled transition process could be further undermined rather than fortified by the wrong kind of engagement. Now is not the time for the US Congress to send the wrong message to the ZANU-PF political, business and securocrat elites, who have brought the country to its knees. Now is not the time to discuss new legislation or to be sidetracked by demands to lift the targeted sanctions on specific individuals and companies. Now is the time to focus on ensuring that all aspects of the GPA are implemented so that Zimbabwe has the chance to move from crisis to renewal.

In particular, four critical goals of the GPA are overdue for delivery:

- a new constitution approved through a popular vote;
- a free and fair media environment;
- a reformed electoral system with a clean voters' roll; and,
- an agreed upon package of security sector reforms to ensure non-interference with electoral outcomes.

These goals are central to any hope for a successful transition to a fully democratic Zimbabwe. Despite understandable pessimism considering the lack of progress on these key issues so far, the United States – and other members of the international community – can still help to move things forward:

a) The US government should open a serious dialogue with the African Union, the Southern African Development Community (SADC) and its individual member countries, especially South Africa, about the lack of progress on the GPA, encouraging SADC as guarantor of the agreement to hold an honest review of progress, or the lack thereof, since it was signed;
b) US diplomats should encourage the African Union to appoint a Special Envoy for Zimbabwe to support a mediated process for achieving the four goals listed above, including agreeing on revised deadlines;
c) US legislative processes in respect of Zimbabwe should be frozen until after elections since measures that are currently on the table can only be properly considered on the basis of verifiable progress; and,
d) A Zimbabwe Election Fund should be established – supported by donors and managed by the UN – to speed up electoral reforms and to ensure that the Zimbabwe Electoral Committee (ZEC) has sufficient resources for election management and logistical support.

Current realities:

Mr. Chairman, we meet at time when the Inclusive Government has been severely tested – and largely found wanting – and when Zimbabwe is facing another crossroads year in 2011. Already there is widespread talk of a 'negotiated constitution' and of holding elections even though the necessary reforms have not been implemented. There are even suggestions that the Inclusive Government will be disbanded in February, creating another political crisis and the very real possibility of a return to violence and repression. This worst-case scenario can still be averted but only if pressure is exerted on the three political parties within Zimbabwe, on SADC and the AU, to deal with the four outstanding goals of the GPA.

The GPA was conceived and backed by the regional bloc, the Southern African Development Community (SADC), and it remains up to SADC to ensure that the parties abide by their promises and resolve the many stalemates paralysing Zimbabwe. However, SADC has regularly capitulated in the face of complaints from President Mugabe and ZANU-PF – most recently over its decision to 'suspend and reform the SADC tribunal' after it had ruled against Zimbabwe's land reform policy.

In respect of the GPA, there are a number of scenarios that could unfold. Emboldened by its new diamond wealth, ZANU-PF could pull out of the GPA, especially if faced with a potential 'No' vote on the constitution that it is likely to try to negotiate with the other parties. The MDC could also pull out although it has shown little appetite for this so far. The most likely scenario is that real power continues to be exercised outside the

GPA in the Joint Operations Command and other shadowy securocratic structures and that the power-sharing agreement continues to hobble along – leaving the economy exposed to serious risk and guaranteeing further political problems in the future since the necessary reforms will not be implemented.

SADC could help to prevent these scenarios but to date has not exhibited any real desire to confront the parties nor the spine to complete what it began. However, this could change with sufficient and correctly targeted international pressure, including from the United States. And this pressure needs to be brought to bear soon since the outlook is currently very bleak with a number of alarming developments, including:

- Today marks the beginning of the 22nd month since the Inclusive Government was inaugurated in February 2009 and the 26th month since the consummation of the Global Political Agreement – but neither the GPA nor the IG has lived up to its promises and increasingly talk is focused on when they will be disbanded, regardless of the power vacuum and political crisis that would create;
- For the past two months, the weekly Monday meetings between the three principal actors, which had been the hall mark of the cooperation framework of the three parties to the inclusive government, were suspended due to a serious disagreement between Prime Minister Morgan Tsvangirai and President Robert Mugabe over the latter's unilateral appointments of Provincial Governors, Ambassadors and Judges;
- While the Monday meetings finally resumed this week, there is very little trust or real capacity and desire to cooperate – indeed, Prime Minister Tsvangirai has taken President Mugabe to court over the appointment of the Provincial Governors;
- Civil society monitoring mechanisms are reporting incidences of violence, intimidation and the banning of civic meetings by overzealous members of the police as well as arrests of journalists and harassment of civic leaders in rural areas – all of this months ahead of any possible election;
- The totally partisan state-owned media has resumed hourly ZANU PF inspired praise jingles for the president, marginalising any other voices and selectively reporting political developments – helping to polarise Zimbabwean society; and,
- The airwaves have still not been freed up – with no licences being issued to applicants keen to establish community radio stations.

Mr. Chairman, while these issues indicate how serious the situation is and how fragile the transition process remains, it is appropriate at this stage to take stock of the state of affairs in Zimbabwe more broadly.

Economic Performance:
It is common cause that the inclusive government has presided over a dramatic economic turnaround, which has seen the country claw its way back from the brink of total economic collapse. However, the past decade has still seen a catastrophic decline with the economy contracting by about 50 percent, unemployment rising to around 90 percent, and poverty levels increasing from 62 percent in 1996 to over 85 percent in 2008. Grotesque inequality, the impact of the HIV/AIDS pandemic and the collapse of the water and sanitation infrastructure conspired to leave ordinary Zimbabweans facing a daily battle against hunger and disease.

At time the GPA was signed, the Zimbabwean dollar no longer represented a legitimate medium of exchange or a store of value. The country had to formally dollarize the economy, meaning it had to abandon its own currency and introduce a US dollar led multi-currency system to ensure that the national payments system was sustained. While populists were clamouring for the Zimbabwe dollar to continue to exist, the move immediately eliminated the notorious parallel market for goods, cash and services. It slashed inflation from millions of percent to single digits. The multi-currency regime boosted business confidence, generated an atmosphere of predictability and soon companies began to increase their activity and profits.

The tireless work of the Ministry of Finance and other economic ministries to re-establish economic governance rules, to ensure that the Central Bank focused on traditional central bank functions rather than its more notorious quasi-fiscal activities and to renew financial management controls – along with robust calls by civil society for a comprehensive debt audit – resulted in a new economic regime exercised by the government. The idea of living within your means has once again been brought back to the fore.

However, while civil servants are at least being paid regularly, their salaries – between US$150-200 – are so low that daily life is still a struggle and morale – unsurprisingly – has been dwindling.

Capacity utilization, which had sunk into the 20s for the manufacturing sector, has slowly climbed over the last two years to settle in a range from the 30s to early 40s. The retail sector has led the recovery process powered in part by South African retail chains, goods and services. For example, South Africa is exporting 3,000 tonnes of poultry products every month to Zimbabwe. The South African supermarket chain, Spar, trades in the leafy suburb of Mt Pleasant in Harare on a 24 hour basis – something that was unheard of before the GPA. In many ways, the recovery was consumption driven at least going by the indicators of early 2009.

In my view, therefore, significant progress has been made under the auspices of the Inclusive Government in terms of stabilising the economy and meeting basic needs. For example, the health and education sectors are once again functional – albeit with serious challenges. The Education Transition Fund and the basket assistance to the health sector that were mobilised by donors in early 2009 have made a significant impact on the lives of ordinary Zimbabweans. Whereas in 2008, the vast majority of children across the country did not attend school, in 2010 virtually all students have attended school without disruptions.

Unsustainable growth path:
However, these gains are slowly being reversed by a lack of sustainable economic development and recovery trajectory in the economy. The economy is suffering from a structural malaise. Despite registering economic growth of 7 percent in the last year – the first expansion for a decade – the growth has not translated into better human development indices or much needed jobs. Zimbabwe is experiencing a kind of zero sum growth trajectory with a nominal growth in GDP without any corresponding jobs or opportunities created.

The economic 'recovery' is also very fragile, dependent as it is on a stable political situation.

The challenge of the debt crisis and funding for development:
As you may be aware, Mr Chairman and Members of the Committee, an albatross around Zimbabwe's neck has been the debt problem. Zimbabwe's sovereign debt overhang status has not improved and is not set to improve in the near future as the country battles to finance its economic recovery and social development.

At the moment, Zimbabwe faces a debt overhang of US$6.9 billion – including US$5.2 billion in external debt. Of the publicly guaranteed debt, US$3.2 billion is in arrears – including US$1.3 billion owed to multilateral creditors (IMF, WB and other institutions), US$1.6 billion to bilateral creditors (Paris Club and other individual countries) and US$200 million to credit suppliers[1]. With the 2009 Short Term Emergency Recovery Plan (STERP) having indentified a resource gap of about US$8.3 billion for economic recovery, the greatest challenge for the government is its ability – or lack thereof – to mobilise financial resources to fund projects identified as critical for recovery. If the government needs to find US$8.3 billion for its recovery programme on top of its debt obligations, then Zimbabwe somehow needs to find US$15 billion in the short term.

Overall, following the cumulative economic contraction of 50 percent between 1998 and 2008, the country needs US$45 billion over the next 10 years to regain the GDP levels it boasted back in 1997.

With these levels of distress, economic activists have maintained that the repayment of external debt should not be given any priority until a proper national debt audit has been carried out to show the extent to which some of the debt owed may be odious and illegitimate. Side by side with this, a strong view is that no debt cancellation or new loans should be extended unless the loan contraction and debt management legislation and process are reviewed[2]. With or without US legislation, Zimbabweans must be seized with addressing the debt

[1] See Ministry of Finance; *Debt and Arrears Clearance Strategy policy document* (2009). Some estimate that the country's total external debt stock is in the US$7billion region.

[2] The Zimbabwe Coalition on Debt and Development (ZIMCODD) has expressed and reiterated this position which is share by many human rights and social justice activists and civil society organizations.

issue in a correct and sustainable manner that ensures that any future resources extended to the country are not abused as may have been the case with portions of previous loans and grants.

On Thursday the 25th of November, Minister of Finance, Tendai Biti delivered his US$ 2.7 billion 2011 national budget statement – the result of a very difficult balancing act. Key highlights include:

2011 NATIONAL BUDGET HIGHLIGHTS
✓ Year-on-year inflation was 3.6% in October 2010 and is expected to reach 4.8% by the end of the year, which is way below the SADC average of 7.5%.
✓ GDP growth expected to increase to 8.1% in 2010 from 5.7% in 2009 on the back of 47% growth in mining and quarrying as well as 33.9% growth in agriculture.
✓ The services sectors have emerged as major contributors to GDP, particularly transport and communication services, whose contribution increased to15.2% of GDP in 2009 from 8% in 2000.
✓ Agriculture contributed 15.5% of GDP in 2009 and manufacturing 14.7% while mining contributed just 4.9% over the same period.
✓ Maize production in 2010 increased by 34%, tobacco by 110% and cotton by 23%. However, the Strategic Grain Reserves of 220,910 tons as of 19 November 2010 represented only 73.6% of the national requirement of 300,000 tons.
✓ Manufacturing sector capacity utilization averaged 35.72% by October 2010.
✓ A total of US$41.94 million was received by the Treasury from the sale of diamonds, while US$8.03 million has not yet been remitted.
✓ Out of a total commitment of US$735 million from Lines of Credit only US$273.6 million has been received.
✓ Export earnings are expected to increase by 25% from US$2 billion in 2009 to US$2.5 billion by 2010.
✓ The Capital Account is expected to improve from a deficit of US$556.5 million in 2009 to a surplus of US$578.5 million in 2010. This is expected to improve the Balance of Payment deficit from US$1.9 billion in 2009 to US$462 million in 2010.
✓ External debt is now US$6.9 billion which is 103% of GDP.
✓ Total revenue collection exceeded the target of US$1.561 billion by 15% to reach US$1.793 billion by October 2010.
✓ VAT contributed the biggest share to total revenue with 37%, indicating that the tax system disadvantages the poorest 85% of the population.
✓ Out of a total of US$810 million expected from VOC only US$360.2 million was received in 2010.
✓ Total expenditure as at end of October 2010 was US$1.46 billion and is expected to reach US$2 billion by December 2010.
✓ Current expenditure continues to consume the bulk of government expenditure at 82% while the remaining 18% is attributed to capital development expenditure. Employment costs represented 46.3% of total expenditure.
✓ Tax free threshold increased from US$175 to US$225 per month, thus putting US$600 per annum into the pockets of low wage earners.
✓ The highest marginal tax rate stayed at 35% for individuals.

While the budget reflects a desire to live within the nation's means, it is clear that Zimbabwe cannot sustainably turn around and is need of support from external development partners.

Political developments:

Even if the economy resumes a sustainable growth path and some of the human development indicators begin to rise again, the political signals are far from encouraging. Zimbabwe continues to take one step forward and two steps backwards. A number of political developments are particularly worrying. In 2010, the constitution-drafting process has been deeply flawed, reforms of the electoral system have been tentative and insufficient and the state security sector remains untransformed. Instead of addressing these key issues, all parties have returned to electioneering – focusing on elections slated for 2011. However, without a credible constitution, concrete electoral reforms and free media environment, there is little likelihood that elections will be free and fair. Indeed, it is possible that the playing field will be tipped even more in ZANU-PF's favour given the widespread belief that it has been building up an election war chest with funds illicitly gathered from the controversial diamond mines in Chiadzwa. In addition, the MDC has shown itself capable of winning elections in the past – and might well do so again in 2011 – but the state institutions and security sector tasked with transferring power to any new administration in the event of an electoral win remain unreformed, so the will of the people might once again be ignored.

The Constitution: Drafting the new constitution has become increasingly controversial with many viewing the public consultations as window dressing before the three political parties agree a 'negotiated constitution'. The current consultative process has been marred by political points-scoring and undermined by insufficient funds. It has not been comprehensive enough to inspire the confidence of ordinary Zimbabweans, especially those in remote rural areas. A significant structural feature of the crisis in Zimbabwe has been the illegitimacy of successive ZANU-PF lead governments 'elected' under the current constitution. The constitution has been routinely amended, creating a strong executive Presidency with few checks and balances. A lasting solution requires a new constitution that is credible and that Zimbabwe's citizens genuinely value – and this can only be achieved through a comprehensive, fully-funded and well-managed constitution-making process that concludes with a free and fair referendum so that the final document is owned by the people. Efforts must be made to ensure that the constitution-making process rises above party-political issues and involves real input from people across Zimbabwe. Critically, this process must precede elections so that the next national polls are conducted under the new, constitutional dispensation – ensuring that they are legitimate in the eyes of Zimbabweans. Considering how crucial – indeed central – a credible new constitution is to the future of Zimbabwe, the process should not be constrained by the current, flawed timetable and should be extended to next year to allow for more effective consultation and a more legitimate outcome document.

Elections: While there is a new Zimbabwe Electoral Commission (ZEC), there is little chance of free and fair elections without further changes to the electoral system, including a clean voters' roll, and wholesale reform of the security sector, especially as it relates to electoral processes in the past. There is also the real possibility that if the constitution making process becomes unmanageable and is aborted, elections will be held under a set of amended electoral laws. While sufficient international attention might keep violence in check, Zimbabwe could end up with a repeat of the 2008 election with the vote again being split between ZANU-PF and MDC. In such a scenario, there is a strong possibility that the coalition will continue and that Zimbabwe will pursue an unstable and unclear political process for the next five years – with the likelihood that this would see the country slipping back into economic instability.

To prevent a repeat of the 2008 worst-case scenario, SADC – as guarantor of the GPA supported by the African Union – should supervise the elections. Donors can play an important and strategic role in funding such a supervisory effort.

Security Sector Governance and Reform (SSR): The openly partisan role of Zimbabwe's security sector threatens the viability of both the inclusive government and long-term prospects for democratic transition. Since Independence, the former ruling party has relied on the security sector – namely the military, police, intelligence and prison services – to maintain its hegemony of the state and government. The state security apparatus has largely been oriented towards regime and state security as opposed to human security. Through a

violent campaign orchestrated by the Joint Operations Command with the support of elements of ZANU-fied youth militia, the security sector reversed the will of the electorate in June 2008 – and could ensure a similar result in future elections.

It is worth noting that the diamond mines (see attached briefing paper) potentially present ZANU-PF – and elements within the security sector – with access to the kind of resources that it has not had for the last decade. So while the establishment of a multi-party National Security Council offers a window of opportunity for broad-based negotiation and a holistic SSR process and while the constitution-drafting process should entrench safeguards against abuse of the state security sector by politicians and of the coercive power of the state by securocrats themselves, there is a real possibility that the process could be derailed.

Importantly, a senior level official within the coalition government has indicated that the security sector exists not only at the formal level of the armed forces and the police but also within Zimbabwe's vast and influential parastatal network. The majority of these 78 parastatals are run by retired generals and army chiefs and form part of a network of patronage that is staffed with individuals who can cover the country and be mobilised by ZANU-PF quickly and effectively around processes such as elections and constitution-drafting.

Security sector reform cannot wait until after the next election. It must begin now. The military must leave the streets, fields and diamond mines and return to barracks. The security sector as a whole must begin to be weaned off its commitment to Regime Security and start to refocus on Human Security. This will require structural reforms, enforcement of judicial and civilian oversight, demilitarising and depoliticising key institutions and new, clearly-defined mandates. It will also need committed involvement from overseas to help kick-start the process – and see it through to the end.

Security sector reform must be a critical part of the package of issues that the international community pushes for in the coming months – otherwise Zimbabwe might end up with a new constitution and new elections, but the same old guard in control.

Some Recommendations:

Mr. Chairman, it is clear that the Zimbabwe is still a long way from renewal. Indeed, another serious political and economic crisis is a distinct possibility. Zimbabweans cannot afford more chaos and violence. They deserve the right to live in a free, open and democratic society – but they need help.

In view of the critical role that you and the United States government as a whole play in international affairs and in supporting economic, political and social developments on the African continent, I urge you to consider the following recommendations:

It is time for US leadership not US legislation:

Zimbabwe is not one of the world's most intractable problems and had the requisite political will been exercised, the crisis could have been resolved. But for a decade, there has been a lack of political will and an absence of diplomatic imagination. The United States can help by freezing current legislation since this is not the time to be seen to be 'rewarding' or 'punishing' any of the key players – and instead encourage regional leaders to abandon the approach that has failed for so long and to try something new to avert another crisis.

So far, international efforts on Zimbabwe have been blunted by SADC, which – with South Africa acting as facilitator – has dismally failed to act as an unbiased guarantor of the process or a resourceful and creative bloc. This failure can be attributed to (a) the ability of ZANU-PF, notwithstanding its exhausted nationalist mantra, to call on long-standing ties and commitments to former frontline states; (b) the inconsistency of the MDC in managing the negotiations process; (c) the reluctance of the international community to intervene when a regional bloc has asserted its ownership of an issue, and (d) a failure of diplomacy and imagination.

The US government must now renew its leadership and engage with SADC on the Zimbabwe crisis.

The United States Congress should:

- Freeze US legislative processes in respect of Zimbabwe until after elections in the country since the current proposed legislation, which involve loosening sanctions and increasing assistance to the Zimbabwean government (H.R. 5971, S. 3297) or eradicating sanctions outright, can only be properly considered on the basis of demonstrable progress;
- Link development assistance with security sector reforms, including supporting an audit of the sector to help match the size, structure and orientation of the military, police and intelligence services with clearly defined national security challenges, as well as calling for the demilitarisation of parastatals, legislative oversight and subordination to civilian rule.

The U.S. Administration should:

- Undertake more robust, consistent and senior engagement with the African Union, SADC and South Africa – from the State Department and the current US Ambassador – to better understand and influence its immediate and medium-term objectives in respect of resolving the Zimbabwe crisis;
- Promote the development and implementation of minimum objectives for SADC engagement in Zimbabwe, including a new constitution approved through a popular vote prior to elections; a free and fair media environment; a reformed electoral system with a clean voters' roll; and, an agreed package of security sector agreements to ensure that the electoral will is respected;
- Support the establishment of an AU Special Envoy for Zimbabwe to directly engage the parties within the GPA as well as those who operate outside its framework but have considerable political and economic control;
- Undertake engagement with selected African countries within and outside SADC to ensure that the Zimbabwe crisis is placed on the agenda of the African Union summit in January and that the African Union considers providing SADC with direct support for its mediation mission.

Mr Chairman, I would also urge the United States authorities to consider:

- Supporting the establishment of a UN managed Zimbabwe Elections Trust Fund to finance ZEC operations, including allocating and monitoring broadcast coverage of elections, cleaning up the voters' roll, training and deploying party agents and domestic monitors, and rolling out an effective results management system;
- Providing resources through civil society organizations for (a) civic and voter education, (b) deployment of domestic observers well-ahead of elections, and (c) implementation of parallel vote tabulation. In respect of (c), technical assistance of groups such as NDI could be enlisted
- Funding a broad-based debt audit to determine and inform a debt relief strategy and discussing the possibility of cancelling Zimbabwe's debt.

Mr Chairman, I firmly believe that the United States has a critical role to play in ensuring that Zimbabwe moves from crisis to renewal and that Zimbabweans finally enjoy the fruits of a free, open and democratic society. However, I believe that United States needs to lead not legislate. By bringing pressure to bear on SADC and other key players, the United States can make a real difference in Zimbabwe.

Mr Chairman, and members of your committees, I remain humbled by your invitation to testify before this distinguished subcommittee at this crucial moment in Zimbabwe's transition and look forward to responding to questions.

Mr. PAYNE. Thank you very much.
Dr. Tupy.

STATEMENT OF MARIAN L. TUPY, PH.D., POLITICAL ANALYST, CENTER FOR GLOBAL LIBERTY AND PROSPERITY, CATO INSTITUTE

Mr. TUPY. Mr. Chairman, members of the committee, ladies and gentlemen, I am honored to give my testimony on Zimbabwe: From Crisis to Renewal. The power-sharing Global Political Agreement of 2008 was meant to return Zimbabwe on a path to democracy and economic prosperity. It was, however, a very flawed document that ignored the express will of the Zimbabwean people. It left the military and the Department of Justice in the hands of the ZANU–PF. Crucially, as it turned out over the past 2 years, it left the ZANU–PF also the control of the Ministry of Mines.

The mining ministry is essentially an offshoot of the Zimbabwean military. Over the past 2 years, it has been awarding mining concessions for exploration of Zimbabwe's natural resources, including diamonds and gold, to a number of South African, Chinese, and Russian state-controlled or government-linked corporations. Part of the proceeds from those mining operations are then channeled back to the Zimbabwean military and the ZANU–PF. Reports indicate that laborers in Zimbabwean mines includes Chinese and Zimbabwean prisoners. The sharing of the proceeds from mining exploration with the military but not with the rest of the population suggests that Mugabe and ZANU–PF are trying to buy the loyalty of the armed forces to order a crackdown on the opposition in the future.

To sum up, the GPA did not represent a power to democratic forces. It is therefore unsurprising that the ZANU–PF has essentially blocked progress on reforms that are vital if electoral reform, or rather democratic transition is to take place. Among the measures blocked by the ZANU–PF are the drafting and adoption of the new constitution, liberalization of the media, reform of the electoral system and depoliticization of the military and the police force. It is my belief that the uneasy truce between the two parties will unravel as soon as ZANU–PF decides that the benefits of eliminating the MDC outweigh the costs of terminating the remnants of the GPA.

So where do we go from here? First of all, it is the responsibility of the Zimbabwean people to chart their own course. There are clear limits to what the United States Government and well-meaning Americans can do. Here are some of the measures that I believe the United States Government can do: The continuation of targeted sanctions against persons and companies responsible for perpetuation of violence and economic mismanagement in Zimbabwe; spearheading of international effort to further isolate Mugabe and ZANU–PF, which could include intensive pressure on governments in the region to resolve the issue of Zimbabwe in favor of democracy and economic growth; ban of the exports of blood diamonds from Zimbabwe under the Kimberly Process Certification Scheme.

Lastly, continuation, and preferably, expansion of the Voice of America radio coverage to Zimbabwe. Most Zimbabweans rely on radio for news. Speaking to one of the senior opposition leaders in

Zimbabwe, I have learned the VOA is the only truthful voice coming to Zimbabwe. In every village, people listen to the radio. Unfortunately, the VOA broadcast only lasts for 1 hour a day. I find it absolutely astonishing that 10 years after Zimbabwe embarked on its road to ruin, the VOA broadcasts are that short. Having grown up behind the Iron Curtain, I can personally attest to the power of truthful information in undermining tyrannical regimes.

The role of the Radio Free Europe/Radio Liberty in the collapse of communism was, I believe, absolutely vital. The U.S. Government has often expressed its willingness to step up its financial aid to Zimbabwe, and yet I believe that the U.S. Government can help the people of Zimbabwe in a much more effective and efficient way by enabling more Zimbabweans to access truthful information on a more frequent basis. Let the people make up their minds about the course of action they want to take to improve their lot.

I believe that the following actions should be avoided: Provision of foreign aid to the government of Zimbabwe either now or in the event of the government falling into the hands of the MDC. Experience shows that aid is a disincentive to reform. Without recourse to aid, the government of Zimbabwe has already taken some very important steps that could generate growth in the economy. Among that is the legalization of possession and trade in foreign currencies and partial liberalization of the business environment. These positive reforms have been offset by the threat of renewed political violence, uncertainty surrounding property rights, and indigenization policy that was already discussed.

Far from stimulating development in Africa, aid has retarded it. I see no indication whatsoever that foreign aid to Zimbabwe would unleash economic growth. Quite to the contrary, it would likely slow it. In the past, aid to Africa has been, by and large, stolen or wasted. There is no surer way to corrupt a few remaining honest politicians and civil servants in Zimbabwe than to entice them into dishonest behavior with large sums of foreign money.

A number of respected commentators in the United States and elsewhere have called on the United States and Western governments to support the MDC's health and education departments. In addition to satisfying the understandable humanitarian impulse, the argument goes, Western aid could help the MDC accomplish concrete goals and improve the welfare of the Zimbabwean people, thus showing the difference between the self-interested ZANU–PF and the MDC.

I believe that this point would be much more serious if there was a likelihood of a democratic transfer of power. That I do not see as very likely. Still, should the United States decide to increase aid to education and health departments in Zimbabwe, such aid should be accompanied by the highest degree of scrutiny. In my view, it should be ultimately overseen by American officials, secunded to health and education departments in Zimbabwe.

In order to prosper, Zimbabwe needs to adopt the economic policies that enabled Hong Kong, Singapore, Chile, South Korea, Taiwan, and many other previously poor countries to rise from poverty to riches in a space of one or two generations. I believe that with a liberalized trade and domestic business environment, with a reformed judiciary that puts emphasis on the sanctity of persons and

property, Zimbabwe can prosper as many countries have done in the past.

Thank you.

[The prepared statement of Mr. Tupy follows:]

Statement of
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Before the
House Committee on Foreign Affairs
Subcommittee on Africa and Global Health
"Zimbabwe: From Crisis to Renewal"

Washington, D.C., Thursday, December 2, 2010

Mr. Chairman and Members of the Committee, I request that the entirety of my statement be submitted for the record.

Mr. Chairman and Members of the Committee, ladies and gentlemen, I am honored to give my testimony on "Zimbabwe: From Crisis to Renewal."

I first visited Zimbabwe in 1993 and made numerous trips to that country in the succeeding years. It is a country whose natural beauty I came to appreciate and whose people I came to love. During my first trip to Zimbabwe I noticed that poverty and fear were ubiquitous. Still, like most people, I was shocked by the spiral of economic decline and political violence that started in the late 1990s and marked most of the past decade.

Over the last ten years, I observed the situation in Zimbabwe and wrote about it in newspapers around the world, including the *Financial Times* and the *Wall Street Journal*. My research led me to conclude that the economic and political destruction of Zimbabwe was, without a doubt, man-made. The excuses of Robert Mugabe, his henchmen and foreign apologists, who blame the destruction of that once relatively prosperous country on everything from targeted sanctions to weather patterns, are contemptible.

Toward the end of the 1990s, the opposition to Mugabe's misrule of Zimbabwe grew in strength. When he lost a nation-wide referendum on a new constitution in 1999, Mugabe realized that a defeat in the next election was very likely. He decided to destroy the opposition by expropriating the commercial farmers who formed the financial backbone of the opposition movement.

The frontal attack on property rights of the farmers wiped out much of Zimbabwe's export earnings and sent destructive ripples throughout the rest of the economy. Land titles became worthless and could not serve as collateral. The banking sector seized up. Gideon Gono, the Governor of the Reserve Bank of Zimbabwe, stepped in and unleashed the printing presses. What followed was the second greatest hyperinflation in history that Steve Hanke of Johns Hopkins University estimated to have reached 90 sextillion percent in 2008. Living standards plummeted to levels last seen in the 1950s. The average life expectancy for men fell to 37 years and for women to 34 years. Unemployment

skyrocketed to between 85 percent and 90 percent. The cholera outbreak of 2008 that killed thousands of people merely demonstrated the obvious – Zimbabwe was now a failed country.

The power-sharing Global Political Agreement of 2008 that was meant to return Zimbabwe to the path to development and democracy was a deeply flawed document. To start with, it ignored the democratically-expressed will of the people who elected Morgan Tsvangirai and his party, the Movement for Democratic Change, to run the country. It was forced upon Mugabe's unwilling ZANU-PF and on the justifiably suspicious MDC by the regional giant, South Africa, in the dying days of Thabo Mbeki's presidency.

The GPA left the military and the Department of Justice in the hands of the ZANU-PF. Crucially, it also left the Ministry of Mines in Mugabe's hands. The mining ministry is essentially an offshoot of the Zimbabwean military. Over the last two years, it has been awarding mining concessions for exploration of Zimbabwe's natural resources, including platinum, diamonds, gold, chrome and nickel, to a number of South African, Chinese and Russian state-owned or government-linked corporations.

Parts of the proceeds from those mining operations are channeled to the Zimbabwean military and to the ZANU-PF. Reports indicate that laborers in the Zimbabwean mines include Chinese and Zimbabwean prisoners. The sharing of the proceeds from the exploitation of Zimbabwe's natural resources with the military and the top echelons of the police, while ignoring the rest of the population, can have only one goal: Mugabe and the ZANU-PF are buying the loyalty of the armed forces and police in order to crack down on the opposition in the future.

The GPA also failed to specify the powers of the President relative to those of the Prime Minister. Over the last two years, Mugabe has repeatedly ignored his Prime Minister and expanded his powers at the latter's expense. Reappointment of Gideon Gono to the governorship of the reserve Bank of Zimbabwe, and the appointment of the provincial governors and of a slew of new ambassadors happened without consultation and, in many cases, against the expressed wishes of the Prime Minister.

To sum up, the GPA did not represent a transfer of power to the democratic forces. All indications are that the ZANU-PF is determined to hang onto power – by whatever means necessary. It is, therefore, unsurprising that the ZANU-PF essentially blocked progress on reforms that are vital if democratic transition is to take place. Among those are a) drafting and adoption of a new constitution, b) liberalization of the media, c) reform of the electoral system and d) de-politicization of the military and police force. The uneasy truce between the two main parties, which we have been observing over the last two years, will, in my opinion, unravel as soon as the ZANU-PF decides that the benefits of eliminating the MDC outweigh the costs of destroying the remnants of the GPA.

Before moving on to the future of Zimbabwe, allow me to make one final observation on Zimbabwe's past. Robert Mugabe and the criminal organization that surrounds him would not have lasted a year, had it not been for the explicit support given to them by

South Africa and most, but not all, of the powers in the region. Botswana and its courageous President Ian Khama and Zambia under the late Levy Mwanawasa deserve our admiration and the gratefulness of the people of Zimbabwe for opposing Mugabe.

The governments of South Africa, Namibia, Mozambique and Angola, on the other hand, ought to be condemned for enabling the orgy of violence and destruction in Zimbabwe to continue. Their decision to hold on to the outdated concept of solidarity between the so-called African "liberation movements," while ignoring the clearly expressed desire of the Zimbabwean people for change is a sad testament to the self-serving and venal nature of much of the contemporary African ruling elite.

Where do we go from here? The responsibility for the resolution of the Zimbabwean tragedy rests primarily with the people of Zimbabwe and, secondarily, with the governments in Southern Africa. There are clear limits to what the U.S. government and well meaning Americans can and should do. Among the measures that the U.S. government can take are:

1. The continuation of targeted sanctions against persons and companies responsible for the perpetuation of the violence and economic mismanagement in Zimbabwe.
2. A spearheading of the international effort to isolate Mugabe and the ZANU-PF, which should include intensive pressure on other governments in the region to resolve the Zimbabwean issue in favor of democracy and economic growth.
3. A ban on the exports of blood diamonds from Zimbabwe under the Kimberley Process Certification Scheme.
4. Continuation and, preferably, expansion of the Voice of America radio coverage into Zimbabwe. Most Zimbabweans rely on radio for news. Speaking to one of the senior opposition leaders in Zimbabwe, I have learned that "The VOA is the only truthful voice coming to Zimbabwe. In every village people listen to it on the radio. Unfortunately, the VOA broadcast is only an hour long." It is astonishing that, ten years after Zimbabwe embarked on its road to ruin, the VOA broadcasts are that short. Having grown up behind the Iron Curtain, I can personally attest to the power of truthful information in undermining tyrannical regimes. The role of the Radio Free Europe/Radio Liberty in the collapse of communism was, I believe, absolutely vital. The U.S. government has often expressed its willingness to step up its financial aid to Zimbabwe. And yet, I believe that the U.S. government can help the people of Zimbabwe in a much more effective and efficient way by enabling more Zimbabweans to access truthful information on a more frequent basis. Let the people make up their minds about the course of action that they need to take to better their lot.

I believe that the following actions should be avoided:

1. Provision of foreign aid to the government of Zimbabwe either now or in the event that the government falls into the hands of the MDC.

- Experience shows that aid is a disincentive to reform. Without recourse to aid, the government of Zimbabwe was forced to take some very important steps that could

stimulate the growth of the economy. Among those was the legalization of the possession of, and trade in, foreign currencies, and partial liberalization of the business environment. Regrettably, the positive effects of those reforms have been limited by a) a threat of renewed political violence, b) uncertainty surrounding property rights and c) indigenization policy that requires 50% of shares in businesses to be owned by Africans. Still, economic reforms that the government adopted already clearly indicate that the government is capable of taking potentially beneficial decisions on its own. What is needed is a coherent set of market reforms that complement each other.

- Far from stimulating development in Africa, aid has retarded it. Between 1975 and 2005, per capita aid to Africa averaged $24.60 per year. By contrast, in China it averaged $1.50 and in India $2.11 Over the same time period, the compounded average annual GDP growth rate per capita in China was 7.9 percent and in India 3.5 percent. In Africa it was a negative 0.16 percent. It is crucial to understand – both by U.S. policymakers and by the Zimbabwean government – that rapid and sustained growth will be needed to return Zimbabwe to the economic conditions of the 1990s, let alone the 1980s. There is no indication whatsoever that foreign aid to Zimbabwe would unleash economic growth. Quite the contrary, it would likely retard it.
- In the past, aid to Africa has been, by and large, stolen or wasted by rapacious politicians and bureaucrats. There is no surer way to corrupt the few remaining honest politicians and civil servants in Zimbabwe, than to entice them into dishonest behavior with large sums of foreign money. In a nation where a) a steady income of $200 per month is considered a good salary, b) parliamentary oversight is weak, c) civil society weaker and d) media freedom nonexistent, corruption would increase exponentially.

2. A number of respected commentators in the United States and elsewhere have called for Western governments to finance those government departments in Zimbabwe that are under the sole control of the MDC, such as health and education. In addition to satisfying an understandable humanitarian impulse, the argument goes, Western aid could help the MDC accomplish concrete goals in improving the welfare of the Zimbabwean people and point out the difference between the self-interested ZANU-PF on the one hand and the MDC on the other hand. That argument would be stronger, I believe, if there were a serious likelihood of a democratic transfer of power from the ZANU-PF to the MDC in the coming years. However, I do not believe that a peaceful transfer is likely. Still, should the U.S. government decide to increase aid for education and health, such aid should be accompanied by the highest degree of scrutiny. In my view, it should be ultimately overseen by American officials seconded to the health and education departments in Zimbabwe.

3. Another main concern about international aid relates to the future involvement of the International Monetary Fund and World Bank. It is crucial for the U.S. government and the MDC to understand that the involvement of those two organizations does not guarantee high and sustained growth rates in Zimbabwe.

> Instead, heavy IMF/WB involvement may well produce a cycle of indebtedness and aid dependency that we have seen in many other African countries before.

In order to prosper, Zimbabwe needs to adopt the economic policies that enabled Hong Kong, Singapore, Chile, South Korea, Taiwan and many other previously poor countries to rise from poverty to riches in a space of one or two generations. First, order must be restored and political violence extinguished. The government must then overhaul the corrupt judiciary, putting emphasis on sanctity of persons and property. Trade with the rest of the world must be liberalized and domestic business environment freed of excessive regulation and government interference. Parastatals must be privatized or shut down. Only a free economy can produce prosperity and enable the rebirth of a free people.

Mr. PAYNE. Thank you very much.

Let me begin by asking you—I think it was you, Mr. Muchena. You mentioned that you felt that in addition to the SADC, that the AU should be involved. Can you give me your feeling of the effectiveness of SADC under Thabo Mbeki's leadership as president of South Africa, now with President Jacob Zuma leading South Africa, and therefore SADC indirectly, and why your feeling that it should be expanded to the overall Africa Union?

Mr. MUCHENA. Thank you, Chairman. The role of Thabo Mbeki as mediator, it is successes and failures. But one of the most outstanding things about Thabo Mbeki's role was the total contempt that he held for Zimbabweans, especially the opposition groups in Zimbabwe, and his overwhelming commitment in his role to save a decaying nationalist movement and impose his own will and looking at Zimbabwe through the lens of domestic political affairs in South Africa. So what he did most was to ensure that no progress would go forward that would essentially correspond with the will of the people. I think that is the hallmark of Mbeki's role.

He also sidestepped many of the people and ensured that Zimbabwe was his personal project and called in the African Union when he wanted it to come. But you will see that it was the African Union, driven in part by Article 4 of the constitutive act of the African Union, which is responsibility to protect doctrine, that they moved a motion Sharm el Sheikh to become involved in Zimbabwe and support SADC and guarantee the success of the GPA process.

Since then, President Zuma has moved to take on the facilitation role of reporting to AU leaders from time to time. We think that the energy that was displayed by President Zuma in the initial months are beginning to falter and he needs to shorten the arm. And the shortened arm can come nowhere else than within the African Union itself, which is meeting, as you know, in February next year, and putting the matter on the agenda of the Africa Union so that it receives the report as a guarantor of the Global Political Agreement would enable movement in Zimbabwe.

President Mugabe is not afraid of anyone in the world except fear of losing African support, and I think that is exactly what happened when the Sharm el Sheikh resolution was made. He discovered that he was now standing alone, and he went back and started to talk to opposition groups. It is time for the African Union to support the initiative of the SADC process by appointing a special envoy themselves who is going to engage directly with members of the parties but also with other people who are influencing the GPA, such as the military. And we think if that is done, there is a reasonable prospect that the United States and other actors can now support that process, which is African led and Zimbabwean led.

Thank you.

Mr. PAYNE. Thank you.

Mr. McDonald, you have heard mention the Zimbabweans, that the next 6 months is going to be very critical. As an Africanist and have worked in conflicts and in areas where elections were coming, like in Namibia we have had, and South Africa and so forth, what would be four or five concrete steps you think that the U.S. should try to get support for?

Mr. McDONALD. Thank you, Mr. Chairman. I alluded to this in my opening remarks, what I think should be done in a pre-election period. There is a variety of things, obviously. And I note that contained within the legislation that you have proposed and I think some of the sister legislation on the other side addresses some of this.

We, I think, tend to make mistakes as we approach elections and democratic processes in Africa—the "we" being the Western World—by assuming if we support institutional structures and give resources to that, give training toward that, that that will solve the problem. It is important to work as we can with the Zimbabwe Electoral Commission, to work with local monitoring groups with training and et cetera—vastly important—and also work with party structures themselves—the MDC and the other parties—to help in their ability to campaign freely and fairly and understand competition does not mean violence.

But there really needs to be preparation work done with individuals themselves. And I think that Mr. Masamvu here, and I believe Mr. Muchena mentioned it as well, but put his finger on a very, very important aspect, and that is security sector reform. Security sector reform is writ large. We all understand or it is rumored that the army has played a very ominous role in the current situation in Zimbabwe, that they have been the power behind the throne, so to speak, and may have even prevented Mugabe at one point in time in 2008 of making certain compromises with opposition that he might have wanted to make because their own interests were not being served by that, without some work with the military in advance. And by this I mean addressing the kinds of fears that they have that Mr. Masamvu pointed out.

It is something we never think about that well, why are elements within society like a military totally intractable. We dealt with this with a Tutsi-led army in Burundi. Why are they so intractable to change? It is because they are fear actual of change. They are fearful of what role they will play. It is not just the loss of privilege and the loss of position and the loss of access to mineral wealth and that sort of thing. It is, what will become of them.

There is real, truthfully, work that needs to be done in the true sense of conflict resolution and transformation with all of these elements. It is a big thing to try to do in a short amount of time when elections are on the horizon and we find ourselves repeatedly in this position where preparations for elections should have started years before and we are now a few months before them and we are beginning to think about it.

But I think we have need to begin to think about that people factor, working not just with the parties but with the military as well, with the Zimbabwe Electoral Commission, obviously putting in funds for training and working with local observers and monitors and bringing in as we can and be helpful with the bringing in of credible outside monitors.

Mr. PAYNE. Thank you. My time is expiring. Let me just ask you, Mr. Masamvu, what authority do you really feel that Prime Minister Tsvangirai has? Has his involvement as prime minister made much of a change in the activities? Are Zimbabweans better off today than they were before the MDC coalition GPA?

Mr. MASAMVU. Thank you, Mr. Chairman. I think the greatest thing which happened in Zimbabwe was for the leadership of the opposition to agree to go into the inclusive government, taking cognizance of the suffering which the general population was experiencing at the time. I must hasten to point out, Mr. Chairman, that if Zimbabwe had gone for a further 2 or 3 months without an inclusive government in place, no matter how flawed the GPA was, actually, except the country from erupting into civil strife. So, by and large, the relative stability, peace, and somewhat recovery which is being experienced in Zimbabwe right now is credited to the entry of Prime Minister Morgan Tsvangirai in government. Notwithstanding that, maybe the stakes or the balance of power is tilted against him. So to a very large extent right now the feeling on the ground—I was in Zimbabwe just about 2 weeks ago. When you ask the average, general person, no one is in the mood of in favoring an election. People are saying, Let this peace which we have been experiencing for the past 18 months proceed for some time. And they are all saying the opposition of Prime Minister Morgan Tsvangirai took a responsible decision by joining an inclusive government to allow people to pick up the pieces and sort of regroup and have peace in their lives.

Mr. PAYNE. Thank you very much.

Finally, Dr. Tupy, as you concluded your remarks about the waste and corruption and greedy politicians and bureaucrats you mention in Africa, therefore you are opposed to foreign aid. What is your opinion on Afghanistan and Iran? Are you opposed to Iraq and Afghanistan, the hundreds of millions, probably billions of dollars that we are sending over there in planes and cash? Is your position that you are opposed to criminal leaders in all countries—I know we just asked you about Zimbabwe—but what is your view to what the U.S. Government has been doing for the last 10 years in Iraq and in Afghanistan?

Mr. TUPY. Thank you. Yes, sir. My position is consistent. I do not believe that the United States should provide foreign aid, economic development aid, to countries abroad, not simply because it is often stolen and wasted in the way as we see on a daily basis in Afghanistan, Iraq and elsewhere, but fundamentally because in some countries that receive large chunks of foreign aid—sorry, governments that receive large chunks of foreign aid generally tend to be much less open to reforms, much less eager to build up their own private sector than countries that do not receive foreign aid.

Mr. PAYNE. Okay. Just maybe one quick question. You recall the Marshall Plan, and it might be from Europe. The Marshall Plan, actually it was not for foreign assistance. In the United States Marshall Plan, Europe probably would have taken another 30 or 40 years before it recovered. There was an enormous amount of U.S. taxpayer money that went into the development of Europe, and—than assisting countries today.

Mr. TUPY. Yes, sir. That is an excellent question.

Mr. PAYNE. Make it quick so my colleagues can go. I am sorry. I don't know what is going on, but go ahead.

Mr. TUPY. Four fundamental differences. One, the absolute amount of money involved in Marshall Plan is smaller than the

amount of money that the United States alone, let alone the entire Western community, have given to Africa over the past 40 years.

Secondly, it was time-limited to 4 years. We have now been giving foreign aid to Africa and many other countries around the world for 40 years.

Thirdly, in Europe, Marshall Plan was reconstructing economies, not developing economies. Europe was already a developed continent when money was provided by the United States to reconstruct it, not to develop it from scratch. This is a very important difference between reconstruction and development. We know how to reconstruct. We don't know how to develop.

Mr. PAYNE. Unfortunately, my time has expired.

Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman. I will ask all questions all at once just so that we can get to Mr. Flake as well, and any of you who would like to answer the questions, please do so. First of all——

Mr. PAYNE. We will have about 20 minutes or so, 25 to.

Mr. SMITH. First, on the issue of human trafficking, which is an issue that I and so many of us deeply care about. Zimbabwe is a Tier 3 country. It is an egregious violator when it comes to the government not meeting minimum standards, and that is as issued just as recently as last June by the Office of Trafficking in Persons within the administration. And in reading the report, it is a scathing indictment that, for example, orphans without birth certificates are particularly vulnerable to exploitation, enforced labor and prostitution. It points out that young men and boys are forced by Zimbabwean Government security forces to work in the diamond mines. It points out that women and girls from towns bordering South Africa and Zambia are forced into prostitution in brothels that cater to long-distance truck drivers. And it goes on into how severely exploited these women are, often contracting HIV/AIDS and other STDs.

And then the point is officials made no apparent efforts to proactively identify victims of trafficking. There have been no reports, according to the TIP report, of prostitutions or convictions for forced labor or forced prostitution, and even in 2009, seven Zimbabwean men who were recruited in Zimbabwe by a Chinese national for jobs, once they got to their destination, their passports were confiscated, and they were subjected to forced labor. And again, the TIP report reads like an indictment.

Your views on what needs to be done. Yes, we want to obviously create better institutions of government, but here is a mirror that has been held up with our minimum standards in our law, the Trafficking Victims Protection Act, and Zimbabwe's people, especially its women and children, are being exploited cruelly.

Secondly, on the issue of religious freedom, on November 17, the new religious freedom report came out and pointed out that the government harassed religious leaders who were critical of government policies, who spoke out against human rights abuses committed by the government, and who provided humanitarian assistance to citizens. It seems to me, like in every other government that we hope will matriculate from a dictatorship to a true thriving democracy, the churches, the faith community plays a key role in

the cruelty that is being visited upon clergy and faith individuals who speak out. I would appreciate your views on that.

And finally, you mentioned, Dr. Tupy, the Chinese prisoners that you reported upon, were they from Chinese gulags, brought in from China? Is that what you were talking about? And where does the wealth gleaned from the diamonds go? Does it go to Swiss bank accounts? Do we have any sense as to how that money was tracked, as the colonels and the generals rip off their own people who don't benefit from the diamond mines, for example, because it goes into their bank accounts?

Mr. TUPY. Sure. I will start with the last question.

The story of Zimbabwean prisoners working in the mines is well established. In terms of the Chinese prisoners, these are anecdotal stories that I heard from Zimbabweans, many of them former farm owners or laborers whom I contacted in the last, say, few months. Obviously, those are, as I said, anecdotal stories.All I was told, these are Chinese prisoners who are working there. I don't know whether these are political prisoners or prisoners who have been in prison——

Mr. SMITH. They are from China?

Mr. TUPY. They are Chinese, yes. The Chinese have a long-established practice of importing their own labor into African countries. In many other circumstances, instances like the one in Zambia, for example, the Chinese laborers seem to be free individuals who do so willingly. Not so in Zimbabwe where they are perceived to have a forced labor or, if you will, slave labor.

I do not know specifically about gold. I do know that diamonds are exported out of Zimbabwe legally because the country is allowed to do so under the Kimberley Process, of which the United States is a part and perhaps could wield some influence there. And obviously, the companies that do so are very tightly connected to either the Russian or the South African Governments. We all know about the interaction between the South African Government, ANC government, and the ZANU–PF. So it is not difficult to imagine that there is a deal whereby some of the proceeds find themselves flowing back into the country, specifically to the Zimbabwean military and the top echelons of the ZANU–PF.

Mr. MUCHENA. Thank you, Chairman. I will just add, on the diamond sector, the national budget presented to Parliament last week indicated that the proceeds from diamonds was $41 million U.S., with about $8 million which are still supposed to be remitted.

Now, if you look at the analysis that was done on the diamond sector, Zimbabwe is supposed to get at least $2 billion annually from its diamonds, in addition to the natural resources sector. So, clearly, there is a shortchanging that is going on, because the diamonds sector is not subjected to the extractive industry's transparent initiatives or other processes that are enhancing revenue collection to final development imperatives in the country. So we will continue to be plagued and, in fact, threatened by the problems of the resource curse, when the richness of the country is starting to become a curse, unless there is a greater transparency on that front.

On the trafficking person question, I think it mirrors the fact that Zimbabwe's development indicated that it declined dramati-

cally. With an unemployment rate of 90 percent, with a poverty level of 95 percent, moving from 62 percent in 1995, clearly the options for survival are diminishing, and people become vulnerable to sharks and other people who are dealing in persons. And I think none but renewal of political institutions of government, effective policing and employment creation will stop the process that you have described. Thank you.

Mr. MASAMVU. Thank you, Mr. Chairman.

Just to add on to what Mr. Muchena has commented on the issue of diamonds, I think the issue that most of the inventory itself is now held in private is actually—it is a cover. And that is one in a way where you actually call these sanctions-busting measures are actually, because most of these companies, you may be surprised, their identity is not being exposed for the simple reason that some of these companies may actually be coming from countries which has imposed restrictive measures also on Zimbabwe in terms of doing business.

So the issue of the involvement of these—the local fair is sort of a coercive approach on how these measures which are in place are being implemented shows—is actually a sort of trip down to the issues of the sale of diamonds in terms of transparency.

And to the extension that this has actually provided a war chest for the ZANU–PF in the upcoming elections that they are fully involved in, that most of the claims, they are actually—you know, most of the other side of the government, like the ministers, even the Finance Minister, even the Prime Minister himself does not have the firsthand sort of understanding of how operations around the diamonds are being conducted. And this has actually given an avenue to actually to ZANU–PF to actually build its war chest, ready to face the election head on, fully resolved and then negotiate thereafter.

So actually you can actually see the issue of the diamonds has actually become like the weapon which actually is going to determine the political dynamics in the next 6 months. Thank you.

Mr. MCDONALD. Mr. Smith, in terms of your questions one and two, I absolutely share your abhorrence of that situation that you have described, and I think that whatever policy prescriptions we explore in terms of existing legislation and how we move into the future here has got to take that into account.

I have worked in conflicted countries throughout Africa. We all know that human trafficking and the denial of religious freedoms are often a result of failed societies; of the loss of the normal sanctions of society; the destruction of family; the undercutting of the moral authority of church, of school; of the destruction of local governance. It is not just criminal—well, it is criminal elements, but they are able to feed on destruction of society, and it is an awful thing. It is happening in other countries throughout Africa and throughout the world. It is something that I am very glad you have mentioned and I think needs to be focused on in terms of the recovery of the society. We talk about renewal, in quotation marks. There is no renewal if we don't address this question.

Mr. PAYNE. Thank you. What we are going to do is, I would like to ask Ms. Woolsey if she would ask her questions and the panel to think of the answer to hers, and would ask Mr. Flake if he

would also ask his questions before they answer. The Members will have the right to leave when they feel it is appropriate. We only have 4 minutes left. However, there are over 370 Members who have not voted yet, which is the key number. So we will leave it up to them. I usually stay longer than most, but I used to be fast.

Ms. Woolsey.

Ms. WOOLSEY. Thank you, Mr. Chairman. Well, all of you, here is my question.

Through the lens of the people of Zimbabwe, have there been any improvements over the last 18 months or 10 years in general, and if so, who has led those improvements, or who have impeded those improvements, and how vulnerable are the programs themselves, and how vulnerable are the providers of those programs?

And let us use health care, if you will, as our example, health care, maternal health care, HIV/AIDS, cholera. What is happening with those concerns, and are they being treated, and how best can we, meaning the United States, the U.N., the EU, get Zimbabwe healthy again?

Mr. PAYNE. Thank you.

Mr. Flake.

Mr. FLAKE. I would actually follow up on some of the questions with regard to mining and, really, the dynamic between the Finance Minister, controlled by the opposition, and the military, who control and seemingly funded back through. But I mean, if we are—I think the budget was introduced last week, $2.7 million. It was indicated by the Finance Minister that that represented all domestic revenue sources, not aid from the outside. How true is that?

I mean, and is mining, you mentioned it could be as high as $2 billion. That is an annual figure, it could be? And we are only capturing $40 million or so there? Is it assumed that that amount is being plowed back into the military? Is that kind of the infrastructure, and if so, how in the world can you go into an election season satisfying the strictures that have been laid out in terms of ensuring that it is free or fair when you have that kind of money plowed back into the security structure that is controlled by Mugabe or ZANU–PF?

So, anyway, that was kind of the questions I was going to ask. I will be satisfied with that. After we come back, I guess.

Mr. PAYNE. Gentlemen, you may answer any way you would like.

Mr. TUPY. I will try to answer, first of all, Congressman Flake.

Reports that I have seen suggested hundreds of millions of dollars annually are being plowed back into the military and to the top party members and also for the police force. Both of these, the military and the police, are obviously absolutely vital. Their behavior will be vital in terms of whether the election will be free or fair.

And in answer to your second question, no, I don't believe that the election under these circumstances can be free and fair, especially if the threat of violence by the repressive state apparatus is going to hang over the opposition as the sword of Damocles.

And to you, Congresswoman Woolsey, the improvements in terms of health care and welfare in general in Zimbabwe happen because of simply the ability and the willingness of the Zimbabwean people to basically take care of themselves. They were prohibited from doing so by hyperinflation, which ran to trillions of percent, and

also by political violence. Once hyperinflation was subdued and they were able to deal in a normal currency, such as the U.S. dollar and the South African rand, and once political violence had subsided, people returned to what they do best, which is to improve their lot. And so we are seeing gradual increases in welfare in Zimbabwe, and I would expect those to continue until the political situation doesn't become unbearable again.

Mr. MUCHENA. Thank you, Mr. Chairman.

I would start by answering Congresswoman Woolsey's question. I think that there has been a lot of improvement. I think that is what we started by saying that there has been dramatic improvement in the 2 years since the Global Political Agreement was consummated, and specifically on the sectors that you talked about, health, education.

Keep in mind that Zimbabwe has a proud investment record in education and health on the continent, with leading industries, up until 2000, and the continent started to dramatically collapse. But in the last year alone, all schools that had been closed in 2007 and 2008 were opened, which was good. We also had health sectors opening up, and we also had cholera which had been totally eliminated, which had become a scourge.

So there has been improvement. This improvement is now being affected by the threat to the return of the old order. I think that is the point we are making.

In terms of the economy, the mining sector, the total contribution of the mining sector of the budget was 44 percent, and that not only includes diamonds, it also includes gold, platinum, and so on. And as a result of the restoration of stability, we started to see profits in the mining sector. So what needs to actually happen is a much more predictable economic management system and economic government system to fully exploit the opportunity of a buoyant mining sector in Zimbabwe which can actually finance the budget.

This has been why Minister Biti could not rely on foreign dollars coming in the budget because the vote of credit was expected to be at $800 million. They have only mobilized $200 million in the last year. So he decided, no, let us go it alone. This is why I am saying 60 percent of the resolution of the Zimbabwean crisis can be done domestically, through reforming laws, political reforms and so on, and the international can accompany that progress. And I think part of the record is being indicated in the Minister of Finance's conduct, including ensuring that the government and central bank is quarantined to a more central governance role than what they have been doing in the last couple of years. Thank you.

Mr. MASAMVU. Thank you, Chairman.

Just to keep on quickly to what Mr. Muchena has said, I think the general attitude of the people of Zimbabwe is really seeing the benefits of the inclusive government in the past 18 months. To an extent, this is the feeling which is driving the general dislike of having, let's call it a premature call for an election. The people wanted this inclusive government to be sustained for a period of maybe 2 to for the next 3 years or so to allow the green shoots which are happening in the noneconomic front to actually sort of be sustained.

We probably will see a vast improvement in education, you know, in terms of schools, textbooks, and all in the collective of the human talent plans extended especially at the onset of the inclusive government.

I believe this is what—actually, when people look at the next election coming, the fears are for a relapse to the pre-March 2008 where the shops were not in food. Right now there is a growing fear that if this election talk reaches a crescendo after the new year, we are actually going to see a situation where there will be a situation of small capital flight which was in going out, shortages of food because of political instability.

No wonder why is what we have been restating on this panel, that what needs to be done in the next 6 months in terms of doing a course correction in terms of engaging with South Africa and SADC is to go to villages and to answer is Zimbabwe ready for an election? And I think this should be looked into what context of the reforms and the need to have the country to heal before any other election can be held.

Mr. PAYNE. Thank you. A quick response.

Mr. MCDONALD. Yeah, to Congresswoman Woolsey's question. First of all, when you asked it, you said, has there been any improvements in the last 10 years and last 18 months? Very, very important to keep those time frames in mind because of the last 10 years, absolutely not; in the last 18 months, yes. It is not coincidental, and it has been mentioned that that is coinciding with the September 2008 GPA and the formulation of the coalition government.

You asked who and how any improvements that have taken place have come about. In these last 3 years or so approximately years since GPA, there has been an increased flow of foreign aid, around $800 million a year, and that has been very targeted, not through government; very targeted in health, education, water, sanitation. So it really has been of great assistance, I believe, and created the situation of improvement.

The Ministry of Finance, already been discussed or reiterated, attacking the inflation problem, attacking the—decoupling the currency and going back to U.S. dollar basis has really helped, but what Dr. Tupy said is very important. The people are resilient. I think what you are seeing here is also reflected in their hope for the future; not just their resilience and relying on themselves and getting by and getting through, but because they see hope for the future, there is a renewed spirit. Obviously that hope can be dashed very easily if the coalition government doesn't work, if the elections don't come about, Constitution isn't put in place. But I think we are seeing that rising aspiration now as people are hopeful that things may come right.

Mr. PAYNE. Let me certainly thank the panel. Unfortunately we are going to have to leave in a minute, but I also agree that I think Zimbabwe has a great future if we can get over this hurdle of the next 6 months are important, if we can move to a new Zimbabwe.

Let me ask for unanimous consent that Members have 5 legislative days to revise and extend their remarks. Without objection, so ordered.

Once again, let me thank the witnesses for being here. It is my hope that H.R. 5971 will be seriously considered, and that the U.S. policy will take full advantage of the window of opportunity in Zimbabwe.

Thank you all again for your testimony, and the meeting stands adjourned.

[Whereupon, at 11:30 a.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

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

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH
Donald M. Payne (D-NJ), Chairman

November 30, 2010

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa and Global Health, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov)**:

DATE: Thursday, December 2, 2010

TIME: 10:00 a.m.

SUBJECT: Zimbabwe: From Crisis to Renewal

WITNESSES: Mr. Steven McDonald
Consulting Program Director, Africa Program
Woodrow Wilson International Center for Scholars

Mr. Sydney Masamvu
Political Analyst
Institute for Democracy in Africa (IDASA)

Mr. Deprose Muchena
Program Manager, Economic Justice
Open Society Initiative for Southern Africa (OSISA)

Marian L. Tupy, Ph.D.
Political Analyst
Center for Global Liberty and Prosperity
CATO Institute

By Direction of the Chairman

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

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Africa and Global Health* MEETING

Day *Thursday* Date *12-2-10* Room *2172*

Starting Time *10:12 a.m* Ending Time *11:31 a.m.*

Recesses (to)

Presiding Member(s) *Congressman Donald M. Payne, Subcommittee on Africa and Global Healt*

CHECK ALL OF THE FOLLOWING THAT APPLY:

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING or BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

Zimbabwe: From Crisis to Renewal

SUBCOMMITTEE MEMBERS PRESENT:

Donald M. Payne, Lynn Woolsey, Christopher H. Smith, Jeff Flake, and John Boozman

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not Members of HFAC.)*

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

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

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *11:31*

Subcommittee Staff Director