

**ZIMBABWE: PROSPECTS FOR DEMOCRACY AFTER
THE MARCH 2005 ELECTIONS**

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN
RIGHTS AND INTERNATIONAL OPERATIONS

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

APRIL 21, 2005

Serial No. 109-31

Printed for the use of the Committee on International Relations



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

U.S. GOVERNMENT PRINTING OFFICE

20-787PDF

WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
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THURSDAY, APRIL 21, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS
AND INTERNATIONAL OPERATIONS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 2 o'clock p.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH. The Subcommittee will come to order.

And I am very pleased to convene this hearing of the Subcommittee on Africa, Global Human Rights and International Operations. Today we will be looking at the prospects for democracy in one of the most troubled countries on the African continent, Zimbabwe.

Zimbabwe celebrated the 25th anniversary of its independence this past Monday, but most Zimbabweans had little to celebrate. In the words of the newspaper, *The Zimbabwe Standard*, this southern African nation is experiencing an "unprecedented political and economic crisis."

President Robert Mugabe, a hero of his country's independence struggle, has been in power since April 18, 1980, and he claims the last 25 years have left him wiser; however, the record doesn't support his claim.

Three-fourths of Zimbabweans eligible for work are unemployed. Many companies, including major exporters to the United States, have been forced to shut down due to the country's economic dismantling. A disastrous land redistribution program has led to the collapse of the country's agriculture sector. According to Catholic Relief Services and their testimony today, some 400,000 agricultural jobs have been lost. And while the continent of Africa is experiencing the highest economic growth in nearly a decade, Zimbabwe's economy is contracting.

The Heritage Foundation's Index of Economic Freedom rates Zimbabwe as "repressed," based on uniformly poor economic policies. Freedom House lists the country as "not free," based on a severely restricted political process, which has included oppression of political opponents, significant limits on freedom of the press, and a string of manipulated elections. The World Bank Institute's governance index rates Zimbabwe as "poor" across the board in categories measuring the ability of citizens to express themselves politically, to rule of law, to control of corruption.

One would think, then, that the people of Zimbabwe would rise up and select new leadership to restore what was once one of the most advanced nations in Africa to its rightful position among the continent's countries. However, internal and external factors sometimes combine to make such a laudable goal very difficult to achieve.

More than anyone else, President Mugabe has contributed to a climate of fear, and heightened even further explosive racial tensions in this nation, which was formerly ruled by a White minority regime. Rather than take the success he achieved in 1980 and build on it, President Mugabe has taken the repressive path and has systematically violated the fundamental human rights of the people of Zimbabwe.

According to the U.S. Department of State's *Country Reports on Human Rights Practices*, Zimbabwe's human rights conditions are among the worst. The report said, and I quote:

“The government's human rights record remained very poor, and it continued to commit numerous serious abuses. President Mugabe and his ZANU–PF party used intimidation and violence to maintain political power.”

The State Department goes on to say:

“A systematic government-sanctioned campaign of violence targeting supporters and perceived supporters of the opposition continued during the year. Security forces committed at least one extrajudicial killing. Ruling party supporters, with material support from the Government, continued their occupation of commercial farms, and in some cases killed, abducted, tortured, intimidated, raped, or threatened farm occupants. Security forces, government-sanctioned youth militias, and ruling party supporters tortured, raped, and otherwise abused persons perceived to be associated with the opposition; some persons died from their injuries. Prison conditions remained harsh and life threatening. Official impunity for ruling party supporters who committed abuses was a problem. Arbitrary arrest and detention remained problems, and lengthy pretrial detention emerged as a problem. Infringements on citizens' privacy continued. The Government continued its far-reaching 'fast track' resettlement program under which most large-scale commercial farms were designated for seizure without fair compensation.”

It also goes on in page after page, paragraph after paragraph, to point out, and I just quote again briefly:

“The Government continued to restrict freedom of speech and of the press, academic freedom, freedom of assembly, and the right of association for political organizations.”

Leadership does matter, as we all know, and the parliamentary election this election was a test of electoral reforms guided by regional standards. According to most assessments of the electoral process, this test failed.

Even before the voting began, there were serious questions about whether a free and fair election was even possible. Voting rolls allegedly carried hundreds of thousands of dead voters, apparently

for use in rigging the election. Manipulation of district boundaries cut four pro-opposition constituencies in the capital and in Bulawayo, while three new constituencies were created in areas favorable to the ruling party. The police and army are said to have contributed to more subtle intimidation of voters than in the past. Food aid reportedly was again used to coerce hungry voters to maintain the political status quo.

The opposition, Movement for Democratic Change, or the MDC, issued a report last week which detailed specific instances of fraud in the March legislative elections. In fact, the MDC has filed suit in the election court contesting results from 13 constituencies. It is estimated that more than 133,000 voters were turned away from the polls without being able to cast their ballots. The Zimbabwe Electoral Commission still has not explained the addition or subtraction of thousands of votes from 72 of the 120 constituencies.

Now that the election is over, there are reports of reprisals against opposition supporters. According to *The Zimbabwe Standard*, the MDC supporters are being denied maize meal in one of the provinces as punishment for their suspected vote. If true, then this does not bode well for reconciliation and progress in this troubled nation.

Externally, to judge when to apply quiet diplomacy and when stronger measures are needed has proved elusive. In the months running up to President Bush's African tour in 2003, both he and Secretary of State, Colin Powell, made demands for President Mugabe to resign, and together put the Mugabe regime under intense pressure. This followed the signing into law of the Zimbabwe Democracy & Economic Recovery Act passed by Congress in 2001.

However, after meeting in Pretoria with South Africa's President Mbeki in July 2003, President Bush rescinded his demands for change in Zimbabwe, and deferred to President Mbeki's "quiet diplomacy" efforts, declaring that "he was an honest broker."

The U.S. has not fully applied economic and political sanctions called for in congressional legislation, and recently reduced its levels of assistance to NGOs assisting with political party development and support to the opposition. These actions at least seem puzzling in light of Secretary Rice's naming of Zimbabwe as an "outpost of tyranny." In fact, Zimbabwe is the only "outpost" whose funding for democracy and governance programs has been cut.

In South Africa, President Mbeki and his political party, the ANC, has publicly supported Mugabe and the ZANU-PF while privately attempting to facilitate contact between Zimbabwe's Government and the opposition, focusing on convincing both parties to agree to constitutional and legal changes.

The wisdom of South Africa's policy approach must be questioned. The South African Government, despite clear evidence to the contrary, claimed the elections were free and fair. That was very disappointing. There has been no measurable improvement—in fact, there has been a steady worsening—of the political and economic environment inside Zimbabwe over the past 5 years.

Not everybody in South Africa, however, agrees with President Mbeki. Zimbabwe's democracy movement has the support of regional civil society, in particular South Africa's Congress of Trade Unions and its Council of Churches. The head of the African Union

observer mission called for an immediate investigation into the electoral fraud, and the opposition parties in South Africa which assisted with parliamentary election observer missions do not agree with the ANC's declaration that the elections were free and fair.

In this hearing, I look forward to a more thorough examination of how the United States can best bring about democratic change, peaceful change in Zimbabwe, and help the country address its worsened critical humanitarian needs, and restart the economic growth and prosperity its citizens so desperately need.

As his country reached a quarter century of independence, President Mugabe honored other Africa leaders such as Sir Seretse Khama, Botswana's founding father. One would hope we would follow the former Botswana leader's example as to how to lead a nation.

Zimbabwe should be a leading example of successful industrialization and effective modern democratic leadership. Instead, it is increasingly an example of how to waste the human and natural resources of a nation.

Robert Mugabe was a hero to his people and to his fellow Africans for successfully standing up to racism and oppression. More than two decades later, however, he has so tarnished his image that it must now resemble the fictional portrait of Dorian Gray, showing an increasingly repugnant picture of a hero who has gone astray.

I would like to now yield to my friend and colleague, Mr. Payne, for any opening comments he might have.

Mr. PAYNE. Thank you very much. Thank you, Mr. Chairman, for calling this important hearing. And I see the Vice Chair, who has had Zimbabwe as one of the principal countries during his tenure as Chairman. And we certainly are looking forward to prospects for democracy at the March 5th parliamentary elections. It is clear that we still have a long way to go.

As we know, Zimbabwe has been mired in a political and economic crisis for the past few years, but the country's long history is one that many in Africa look to in the past with pride, with leaders who fought against apartheid, as did President Mandela, and Robert Mugabe and Joshua Nkomo were those who were hailed by pan-Africanists as they moved to change the White apartheid regime in Rhodesia. However, postindependence Zimbabwe clearly demonstrates much of the best of Africa and what Africa is capable of doing, but also it shows the difficulties that can occur when governance is not kept pace, as we have seen in Zimbabwe.

Despite decades of repressive White regime, White Zimbabweans were embraced after independence, not chased out of the country or mistreated, as cynics predicted. Human rights were largely respected, and the rule of law prevailed in the country. Education became a primary principle of the Mugabe regime. And for the first time in an African country, education became the center of the country's development, and extensive parts of the budget was provided for universal elementary education, and secondary education and higher education was not uncommon in Zimbabwe, taking its resources and put it there.

So we have a country that post-colonial period has moved into education as a key to its people. Indeed, Zimbabwe had long been

a model country with a stable Government and a modern economy, but as we have seen, as I have mentioned, and to my disappointment, in recent years conditions went from bad to worse, in large part due to poor leadership of President Mugabe. The once politically stable country became increasingly chaotic, and economically has been left in shambles.

Human rights abuses were extensive and increasing, and the Government seemed to care little about the rule of law. I have tried desperately to engage the Government in a constructive dialogue to address these concerns over the years. I am resolved to help the people of Zimbabwe realize their dream of true freedom and independence as they fought for many years, but now are seeing it elude them.

The method of redistribution of land from White landowners 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 through southern Africa, consistent with the rules of law.

Additionally, the UK did not hold up its end of the deal in the Lancaster House Agreement in 1979. This ended the rule of Rhodesia, Zimbabwe's colonial name by Ian Smith, and among other things laid out a procedure for land reform which was desperately needed to address disparities between Whites and Blacks, and to address poverty in general.

Fifty percent of the land was owned by 3 percent of the population, the 3 percent White settlers owned half of the aridable land, the land that you could do something with. Britain and the United States pledged to carry out funding so that land could be purchased from the White settlers and redistributed, but it was based on the willing buyer, willing seller principle. And because only the first portion of the funding was actually given to Zimbabwe, the land reform process was unsuccessful because it was stopped soon after it began. Recently, Prime Minister Blair said that he was not responsible for the Lancaster House Agreement of 25 years ago.

In 2001 I pushed the Zimbabwe Democracy and Economic Recovery Act through the House, with the assistance of my colleagues and Mr. Royce. It was signed into law at the end of 2001. The bill's principle objective was to help restore rule of law, respect for human rights, free and fair elections, and sound economic reform. The legislation provided new funding for Zimbabwe if serious reforms were undertaken by the Government. The legislation did not punish the people of Zimbabwe, nor did it impose sanctions on the Government of Zimbabwe if they would cooperate and start to have transparency in their Government.

Since then, U.S. policy toward Zimbabwe has been one of isolation. And given the current state of affairs, it begs the question, Has our policy been effective through isolation? I think our policy and the policy of international communities, which isolated the Government of Zimbabwe, as we can see has not worked. President Mugabe's behavior over the last few years has been deplorable. However, we need not leave the continent of Africa to find examples of cases where the United States has engaged in—and even considered allies—dictators who have brutally opposed their people and driven their countries into economic and political ruin. I just

cite these because it is something that we are certainly not proud of, but they are the facts.

The primary history example is Mubutu of Zaire, who, with the help—from 1967–1997—of the siphoned off billions of dollars with the help of the United States Government during the Cold War, and was responsible for countless deaths all because he sided with the United States over former Soviet Union and helped us with covert operations against the Government of neighboring Angola in our assistance of the White apartheid regime of South Africa.

Today's example is the Beshir Government of Sudan. The regime of Khartoum has been considered a United States ally since 9/11 because they said, in the war against terrorism, they would provide information, and we have moved to have normal relations with our Embassy, which had been closed until after 9/11. Meanwhile, the same Government headed by President Omar al-Beshir and Vice President Taha, has orchestrated genocide against its own Black population, first in southern Sudan where 2 million people were killed since 1993 and 4 million displaced, and now in Darfur, where 300,000 have been killed and 2 million displaced. All of this is terrible.

However, we need to look at consistency in our policy, which is certainly lacking. So we engage Mubutu and we were engaging Beshir, who armed the Janjaweed to kill Darfurians, yet we will not engage Robert Mugabe. This is yet another example of inconsistencies in our policy, in my opinion.

But today in Zimbabwe, we have an opportunity. The parliamentary elections of March 31 were relatively peaceful, that is about the biggest glimmer of hope that we have seen because the previous elections were marred with violence and killings and beatings. So we have moved from that physical brutality, and I think that is a step in the right direction. The opposition party, MDC, the Movement for Democratic Change, decided not to protest the results, and didn't see nearly the same level of violence as the last Presidential election held in March 2003. The ZANU–PF, the Zimbabwe African National Union Patriotic Front, engaged with more than two-thirds majority merged with more than two-thirds majority. We have to remember that there are other countries where the democratic process is even more stifled. In Ethiopia, for example, the ruling party has the majority of seats in the Parliament which controls the national media.

A few weeks ago Prime Minister Meles expelled IFIS, NDI and IRI, which were involved in pre-election activities and were planning to observe the upcoming elections in Ethiopia, however, we have not made any moves against Ethiopia because of this. The Eritrea, the independence press, was shut down and opposition kept out of the process, yet we work closely with both of these Governments.

In Egypt, second largest recipient of United States foreign assistance, have had one-party rule for the last decade. And our greatest ally in the Middle East of the Islamic Governments currently is Pakistan, run by the general who overtook the Government.

And so we ought to move certainly toward consistency. We must not condone wrong actions, but I think that one of the problems that we see is that we have inconsistency in our policies. I would

certainly like for the people of Zimbabwe to see, perhaps, the retirement of Mr. Mugabe so that great country could move forward. However, I think that we must really try to engage with the Government of Zimbabwe, and hopefully, with some assistance from other Africa Union countries, we may be able to see a change.

We will continue to try to work toward the benefit of the people of Zimbabwe, who certainly deserve much better. And also, of course we don't like these redistricting plans that really cut up districts where people could be elected, however, unfortunately we see that also in our Texas plan and the one that is being considered right now really in Georgia, where the same results will occur as happened in Texas, where we will have less Democrats elected because of the plan which is going through the assembly and Senate in Georgia.

I yield back the balance of my time.

Mr. SMITH. The time of the gentleman has expired.

Would anyone else like to be heard before we go to our witnesses?

Ms. Lee.

Ms. LEE. I will be very brief, and would just like to thank you for this hearing, and say that it is very important we listen to our witnesses today to really look. And I want to associate myself with my colleague from New Jersey's remarks, because I do believe there needs to be some consistency in our foreign policy, especially as it relates to countries that we have a real reason to engage with, such as Zimbabwe.

And a couple of things, just with regard to the elections—and I have been an observer in Nigeria and in South Africa, and certainly Zimbabwe's recent election—and you laid out some of the issues. Of course they are of concern to myself as an election observer, but also in terms of just consistency. Many of the flaws that we saw in Zimbabwe, I must say, we have seen here in our own communities in Florida and in Ohio and in other places around the country. And so to base our foreign policy or a focus of our foreign policy on our assessment of elections and voter fraud, I think, begs the question: Are we going to use that same standard as we look at our own elections? And I think we should.

And again, the policy of isolation, we tried that with many countries, it doesn't work. Engaging with Pakistan and other countries, China; we have many examples of how engagement furthers dialogue and prevents conflicts from erupting. But yet with regard to Zimbabwe, we know it is not a moral democracy. But I agree with Mr. Payne that the policy of isolation just hasn't worked. And I think this Committee should look at real strategies to develop a more realistic foreign policy toward Africa, especially toward Zimbabwe, because otherwise we are just going to continue to bash those countries that we don't consider a model democracy and embrace those that we know are not model democracies but need to embrace for whatever reason.

So thank you very much, Mr. Chairman.

Mr. SMITH. I would like to welcome our distinguished first witness to the table, and that is Assistant Secretary Constance Berry Newman, who was sworn in as Assistant Secretary of State for African Affairs on June 24, 2004.

Prior to serving her duties, Secretary Newman served as Assistant Administrator for Africa for USAID. Before joining USAID, Secretary Newman served from 1998 to 2001 as a board member of the International Republican Institute, and in that capacity she participated in election and other monitoring activities in Nigeria, Ukraine, Russia and China. She also served as a private consultant to South African leaders on affirmative action and diversity, and to the World Bank as liaison to representatives of the South African National Congress, and many others.

Let me just say, without objection, your full, very impressive background will be made a part of the record, and please proceed as you like.

STATEMENT OF THE HONORABLE CONSTANCE BERRY NEWMAN, ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Ms. NEWMAN. Thank you very much, Mr. Chairman, and Members of the Committee. I am going to summarize, but would like for the full statement to be made a part of the record.

Mr. SMITH. Without objection, Madam Secretary, your full statement will be made part of the record.

Ms. NEWMAN. Thank you very much for the opportunity to testify on the recent elections in Zimbabwe and to give my views on where do we go from here, the future.

As Secretary Rice made clear, the March 31 elections for Zimbabwe's Parliament were a travesty of democratic standards. They were not free and fair. And this was a sad day for Zimbabwe and for the cause of democracy in the region.

Late last year, as you know, Zimbabwe's civil society and democratic movement debated as to whether or not to boycott the elections. The opposition Movement for Democratic Change (MDC) and many independent groups were doubtful that Mugabe's actions would lead to a tolerant, honest election, given Zimbabwe's history. Well, after much deliberation, MDC made a painful choice to enter the race and to keep ZANU-PF from monopolizing the Parliament. They ran a strong race. The fact that MDC even exists, in spite of 5 years of heavy repression, is a testament to the enduring strength of democratic culture in Zimbabwe.

But back to what we know about the recent election. Unfortunately, MDC's pre-election concerns were valid. The independent press is muzzled or biased, they used food as a weapon, there were limitations on the freedom of assembly. On election day, tens of thousands of voters were turned away from the polls, and the vote count, most certainly, was rigged.

What does this mean for the people of Zimbabwe? Well, the result is a Parliament that will continue to do the bidding of Robert Mugabe, and will not speak for all of the people of Zimbabwe. This means the challenges of unemployment, orbiting food prices, refugees, limited investment, and continuing failure to address HIV/AIDS.

Worst of all, Zimbabwe, through this period, may be on the brink of another food emergency. And a quick comparison to the past, and many of you have spoken to this, Zimbabwe used to be the breadbasket of southern Africa. Today, it does not, cannot, export

food. It used to have one of the best health care systems: Now Zimbabwe's doctors and nurses are found all over the world. And unfortunately, it stands out as the outlier in a part of Africa that has seen massive improvements in governments and economic management in the last decade.

Just a few points about responses to the election. Considering the high stakes for the region, it was disappointing that the governments of Southern Africa Development Community failed to use more influence with Mugabe to guarantee the integrity of the election. Although I have said that, at the same time I must note that it was probably SADC influence that played a role in keeping the election largely free from violence, and we expect that SADC will continue to work for the restoration of democracy in Zimbabwe.

We were also encouraged that the African Union observer team called for an investigation of irregularities.

As for the response of the United States, we are in the process of reviewing and updating our sanctions regime to ensure that our targeted sanctions have the flexibility and teeth, and are adequate to the new situation.

The individuals who abused democracy and helped to steal this election must be held accountable. However, it will not be our intent to impose general sanctions on Zimbabwe that will hurt the people or the economy. We reject any steps that would cause ordinary people to suffer from the sins of the leadership.

We are, as you know, the largest donor of assistance to fight HIV/AIDS epidemic which threatens to kill 25 percent of Zimbabwe's adult population. We have also intervened to prevent mass famine. Since 2002 USAID has provided almost \$300 million of humanitarian assistance, and we stand ready again to assist the people, should the food shortages materialize. But we will not allow the Government to direct or control the distribution of that food aid.

We also do important work to support Zimbabwe's democratic culture and civil society, help for torture victims, and help for human rights activists. The recent elections underscore the continuing need for democracy programs in Zimbabwe.

So I will end by just saying, ultimately it is, though, the people of Zimbabwe who will reclaim their freedoms, but our assistance can help to level the playing field and ensure that truth has a voice, and all people of Zimbabwe can see there is an alternative to intimidation and fear.

So I thank you for the opportunity to appear before you, and am prepared to answer questions.

[The prepared statement of Ms. Newman follows:]

PREPARED STATEMENT OF THE HONORABLE CONSTANCE BERRY NEWMAN, ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Thank you for the opportunity to testify on the recent Zimbabwean elections and to give my views on the future of that country.

RESULTS AND CONDUCT OF THE MARCH 31 PARLIAMENTARY ELECTION

As Secretary Rice made clear, the March 31 elections for Zimbabwe's parliament were a travesty of democratic standards. They were not free and fair. Instead, they are proof that Robert Mugabe and the ZANU-PF party continue to trample on Zimbabwe's democratic institutions and traditions; they continue to rule by fraud

and coercion. The elections were a sad day for Zimbabwe and for the cause of democracy in the region.

Late last year, Zimbabwe's civil society and democratic movement debated whether to boycott the election. The opposition Movement for Democratic Change (MDC) party and many independent groups were doubtful that Mugabe would tolerate an honest election; they did not want MDC to legitimize a vote that was likely to be tainted. Their fears were not baseless: elections in 2000 and 2002 were marred by massive violence and fraud.

After much deliberation, MDC made a painful choice to enter the 2005 race to get out the democratic message to the people, and to keep ZANU-PF from monopolizing parliament. MDC ran a strong race. It had a popular message about economics, health, and democracy, and mounted a serious campaign in every district of the country, drawing large crowds in urban and rural areas alike. MDC has clearly emerged as a mature, viable opposition party. The fact that MDC even exists in spite of five years of heavy repression is testament to the enduring strength of democratic culture in Zimbabwe.

Unfortunately, MDC's pre-election concerns were valid. The independent press was muzzled; ZANU-PF candidates used food as a weapon to sway hungry voters; state-owned TV and radio were heavily biased; freedom of assembly was constrained; secret police attended opposition rallies taking down names. On election day, tens of thousands of voters were turned away from the polls. The vote count was almost certainly rigged and credible evidence suggests that ZANU-PF stole more than a dozen seats from MDC.

CHALLENGES TO DEMOCRATIC CHANGE AND ECONOMIC SECURITY

The result is that Zimbabwe's parliament will continue to do the bidding of Robert Mugabe but will not speak for all of Zimbabwe's people. It lacks the legitimacy and the power to tackle the huge problems that are wrecking the country. It is difficult to overstate the size or danger of these challenges. The economy is collapsing; unemployment is more than 70 percent; food prices are going into orbit; political and economic refugees continue to flee, including some of Zimbabwe's best educated citizens; new investment is zero; firms are facing bankruptcy; and health care is collapsing in the face of a raging HIV/AIDS epidemic.

Worst of all, Zimbabwe may be on the brink of another food emergency brought on by drought and the government's disastrous economic policies. We do not know the full dimensions of the emergency, since Zimbabwe has barred assessment teams from the World Food Programme from entering the country. However, what evidence we have strongly indicates that millions of Zimbabweans will face serious food shortages later this year. These people are the poorest of the poor, the real victims of ZANU-PF's mismanagement and betrayal of the ideals of the Zimbabwean revolution of 1980.

Zimbabwe is caught in a spiral of governance crisis and economic collapse. We are deeply worried about its fate. We all know that Zimbabwe used to be the breadbasket of southern Africa; today it exports people instead of food and depends on remittances to pay for vital imports. It used to have one of the best health care systems in Africa; now Zimbabwean doctors and nurses are found all over the world, while public health is starting to fall apart at home. Zimbabwe is no longer an engine for regional trade and growth; instead, it is a drag on the region, scaring off foreign investors and burdening neighbors with refugees. Zimbabwe stands out as the outlier in a part of Africa that has seen massive improvements in governance and economic management in the last decade.

Considering the high stakes for the region, it was disappointing that the governments of the Southern African Development Community (SADC) failed to use more influence with Mugabe to guarantee the integrity of the election. Unfortunately we were not surprised by SADC's decision not to speak out forthrightly about the obvious flaws in the election. We are not able to agree with the South African Government's conclusion that the election results were a "credible reflection of the will" of the Zimbabwean people. This was an insult to the people of Zimbabwe.

At the same time, SADC influence may have played a key role in keeping the election largely free of violence, and we expect that SADC will continue to work for the restoration of democracy in Zimbabwe.

We were also encouraged that the African Union (AU) observer team called for an investigation of the irregularities that took place on election day. We hope that the AU will pursue this issue with the appropriate authorities in Zimbabwe.

U.S. EFFORTS TO PROMOTE DEMOCRACY, HEALTH, AND FOOD SECURITY

As for the response of the United States, we are in the process of reviewing and updating our sanctions regime to ensure that our targeted sanctions have flexibility and teeth, and are adequate to the new situation. I can't give details about our review at this point. However, I can say that the election has reconfirmed the need for targeted financial and travel sanctions on regime leaders who undermine democracy. The individuals who abused democracy and helped to steal this election must be held accountable.

I do not want to have my words here distorted by Zimbabwean government propaganda. The United States has not and does not intend to impose general sanctions on Zimbabwe that will hurt the people or economy. We reject any steps that would cause ordinary Zimbabweans to suffer for the sins of the ZANU-PF leadership. That is not our policy.

On the contrary, we have responded generously to the humanitarian crises that have afflicted Zimbabwe and threatened the life of the country. We are the largest donor of assistance to fight the raging HIV/AIDS epidemic, which threatens to kill 25 percent of Zimbabwe's adult population. USAID and CDC recently launched one of Zimbabwe's first anti-retroviral programs. We provide desperately needed services to 100 thousand orphans and other children affected by HIV/AIDS.

We have also intervened to prevent mass famine. Since 2002, USAID has provided almost \$300 million of humanitarian assistance. During the food crisis of 2002-04, U.S. government assistance fed almost five million Zimbabweans. In spite of our political differences with the Government, we stand ready to assist the Zimbabwean people once again should food shortages materialize later this year. But we will not allow the government to direct or control the distribution of that food aid.

We also do important work to support Zimbabwe's democratic culture and civil society. We fund voter education programs, train election monitors, support medical and psychological help for torture victims, and help human rights activists. Our programs aim to keep open democratic space and support a human rights culture for the day when democracy is restored. The recent elections underscore the continuing need for democracy programs in Zimbabwe. Restoring democracy and prosperity in Zimbabwe are long-term problems that deserve support.

Our policy aims to empower and strengthen the Zimbabwean people. Concerned neighbors, compassionate donors, a critical press, and world leaders—all can and should play a role in giving more and technical supports to those in Zimbabwe who work for democracy. Ultimately, it is the Zimbabwean people themselves who will reclaim their freedoms, but our assistance can help to level the playing field and ensure that truth has a voice and all Zimbabweans can see there is an alternative to cronyism, intimidation, and fear.

Mr. SMITH. Thank you very much, Madam Secretary. And thank you for your very clear statement, both the oral as well as your written statement.

You do make the point that this election was an insult to the people of Zimbabwe, and as you just said, there is a process of review underway. I wonder if you might be able to tell us when that review will finish?

I agree with you wholeheartedly that any sanction ever to a political repression regime that in any way mitigates or inhibits humanitarian aid is no sanction at all, it only hurts the very people we are trying to help, and virtually every law I think we have passed on human rights, whether it be trafficking or religious freedom or any other, including the act targeted at Zimbabwe, focuses on the perpetrators and not the oppressed.

So the when issue, if you could.

Ms. NEWMAN. Well, let me just say, Mr. Chairman, leading up to the election, there were many meetings about the what-if meetings. Now we have the election. Now there are a series of meetings, interagency meetings, meetings within the State Department to discuss what next, to question the previous approaches, to listen to a range of ideas, and to take the options to the highest level. We realize, though, that we don't have forever with this if we are going

to make an impact in the near term that will affect the people there.

I would say to you that we probably owe you and the Committee, no later than a month from now, what our thinking is, and it may be even before that, given the fact that we are meeting on a regular basis on Zimbabwe.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE
QUESTION ASKED BY THE HONORABLE CHRISTOPHER H. SMITH DURING THE HEARING
STATUS OF THE POLICY REVIEW

We expect to complete the review by the end of May.

Mr. SMITH. I appreciate that very much.

As I said in my opening, Zimbabwe is the only country that has been designated by Secretary Rice as an outpost of tyranny, whose funding for democracy and governance programs has been cut. North Korea, the proposal is up \$2 million; Iran, \$3 million; Cuba up \$14 million over 2 years; and it is an issue that I have worked on very hard—the proposal calls for a \$5 million increase. Burma \$13 million for democracy. And yet the Zimbabwe account, many of us believe order of magnitude \$12 million is needed, it is going to get, or at least the proposal was for \$6 million, and it was cut to \$3 million.

I understand, and you might want to speak to this, that there is legislation on President Mugabe's desk that would severely restrict civil society and groups or organizations, NGOs, that deal with issues of governance from receiving foreign funds, and I don't know if that played or not into that calculation; and that certainly is another repressive tool in his tool box to stifle and gag a very viable opposition that is doing, I think, a tremendous amount of good under pressure.

And secondly, if you could speak to the issue of reprisals, which we are hearing about, using food as a weapon against those—it was used, we understand, by many credible observers and reports, in the election area itself, and now we hear that there is an after-the-fact reprisal of food being used as a weapon. And also, Roy Bennett, the member of the opposition party who got 12 months, or it was reduced to 12 months for good behavior, which has now come to the point—it is a couple of months ago—of being an Amnesty International prisoner of conscience for the mistreatment that he has received. How many others like him, political prisoners, members of parliamentary are languishing in prison because of their opposition and the reprisal issue?

Ms. NEWMAN. I will start, Mr. Chairman, with the resources question.

I think going forward we need to develop the strategy, and then determine how we allocate resources against that strategy. But what is true, if we have major increases, if we decide we need major increases, it does mean reduction someplace else; those are the tough questions. And yes, what we did know about the way in which non-governmental organizations are being tracked, and extensive questioning the extent to which they could or could not be effective there, did, in the back of some of our minds, influence how effective we thought the resources would be.

But I think going forward we are going to question the whole strategy, and then we may decide that it is much more important to make democracy resources available to Zimbabwe to get ready for the 2008 election than some of the other places where we have democracy money.

In getting back to you, we will owe you some more discussion. As you know we do have the 2006 budget before you, and it does only show I think \$2 million for democracy, but it doesn't mean that we won't question that.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE QUESTION ASKED BY THE HONORABLE CHRISTOPHER H. SMITH DURING THE HEARING

SUPPORT FOR DEMOCRACY PROGRAMS

The level of support for civil society and democracy is a key part of our policy review. We expect to complete the review by the end of May.

Mr. SMITH. I would hope—before you go on, I would hope that that number, especially in light of this disaster, events have overcome the budget and the whole budget submission process, including the clearance by OMB, and it seems to me that there is a crying need for additional democracy building, civil society building funding for Zimbabwe. And I don't think it needs to come out of some important account where there is also a race against tyranny with democratic forces. So I would hope that we look to us—Democrats and Republicans, Senate and House—to, you know, as allies to try to beef it up. I don't know it is a zero sum game, with all due respect.

Ms. NEWMAN. I don't want to mislead, too, the \$2 million is for democracy, there is almost \$33 million in the total budget, plus another \$76 million for humanitarian assistance.

Your second question had to do with reprisals and using food as a weapon. And it is a high priority for the Embassy and for the World Food Program to ensure that resources that come from the United States for humanitarian assistance are not used in that way. Now the monitoring and the assessment of the way in which the food is allocated probably does not give the full story. But I think there is a comfort level that we have that the food that comes from the United States is not used in that way.

In terms of the prisoners, there was a report in February that, the 28th of February, that does report political prisoners, the status of political prisoners, violation of human rights. And even though it shows some abatement from 2002, there is still a serious problem about the way in which not only political prisoners are dealt with, but citizens in general, and it calls for strategies to address that. I don't know if this is—okay. No other members of Parliament that we know are political prisoners, but we know enough to know this is an issue, has been an issue in the past.

Mr. SMITH. Have we raised Roy Bennett's case within the—

Ms. NEWMAN. I don't know. I will have to—I owe you an answer on that.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE
QUESTION ASKED BY THE HONORABLE CHRISTOPHER H. SMITH DURING THE HEARING

THE ROY BENNETT CASE

The State Department's latest human rights report on Zimbabwe cites the case of Roy Bennett. Our Embassy monitors the case closely, as it does other human rights cases in Zimbabwe. However, the Government of Zimbabwe does not respond positively to U.S. inquiries about individual human rights cases.

Mr. SMITH. And one final answer before I yield to Mr. Payne.

The issue of trying to get more Africa voices and voices really throughout the world to speak, I just returned from the Human Rights Commission meeting in Geneva and was appalled at the lack of tyrannical governments being taken to task, including China. Cuba, thankfully, had a very good resolution that garnered support, but Zimbabwe certainly did not. And it seems to me that we need to redouble our efforts, especially as we just held a hearing on Tuesday in which we talked about the lack of effectiveness of the Human Rights Commission. If it does resolve into a reform that Kofi Annan was talking about, a Human Rights Council, and regimes like Zimbabwe need to be held to account in that form and not be let off the hook or enabled in their gross misdeeds.

Ms. NEWMAN. Mr. Chairman, may I say, though, that we are feeling very positive about the African Union in many ways. And the fact that the Africa Union has raised the question about calling for investigation here shows a movement in terms of African leadership to take steps that they hadn't taken in the past.

Mr. SMITH. I saw that, too, and was very, very encouraged by that as well.

Mr. Payne.

Mr. PAYNE. Thank you very much.

Ms. Secretary, had there been any attempt to perhaps have discussions with leaders, heads of state in the region, just sort of a discussion about taking a position without taking a position, but with some of the surrounding countries about Zimbabwe, and if they have any suggestions or have they any concerns that they have expressed?

Ms. NEWMAN. I have not had discussions since this election. But prior to the election, I have had conversations with the heads of state of Botswana, Mozambique, Zambia. It is a very touchy subject. And it has been much easier to engage them in a general discussion about democracy than what they would do about Zimbabwe. And frankly, a couple of the Presidents said they took firm stands right after the 2002 election and were chastised, so that they preferred the behind-the-scenes quiet diplomacy.

Maybe now, particularly since the African Union has spoken out, these heads of state will be more comfortable publicly speaking out.

Mr. PAYNE. I agree. I think that the outspokenness of several of the heads of state, they are reluctant to criticize openly, but realize that there needs to be changes in Zimbabwe, but the sort of non-interference. But I agree that the finding of the African Union is a positive step in the right direction.

I think that one of the thoughts was, when I had discussions with some of the leaders, was that Mr. Mugabe might retire—a year or 2 ago as a matter of fact, but I see that that is still a possi-

bility—and that is why I think we need to keep governance programs going in Zimbabwe so that if and when he does leave office, that the country have people who are trained and have been involved in democracy building.

One quick question: The judiciary system in Zimbabwe has upheld some of the oppositions's positions, I believe. In general, how do you see the high court in Zimbabwe?

Ms. NEWMAN. I will have to get back on—I understand there's kind of a mixed record, however, that there were instances where the judges supported actions that are questionable on the part of the Government. So I think that much more work probably needs to be done in terms of the rule of law and the judiciary system, how the judges are appointed and to what extent they feel they are independent.

We did recently—this last round, our democracy money went to Parliament and to certain committees in Parliament. I don't think we funded judicial reform, but it is something that needs to be looked at.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE QUESTION ASKED BY THE HONORABLE DONALD M. PAYNE DURING THE HEARING

ROLE OF THE JUDICIARY

As a result of intimidation and court-packing by the ruling party, Zimbabwe's once independent and professional judiciary has become highly politicized. However, pockets of integrity remain, and some judges display independence even in highly sensitive political cases. Non-political cases are generally handled without bias, though there has been a decline in judicial professionalism because of the emigration or retirement of many experienced judges.

Although USAID works with legal groups and parliament, we currently have no programs with the judiciary. The root problems with the judiciary are political and not amenable to mitigation through an assistance program.

Mr. PAYNE. Just finally, the church, is the church movement strong? I know the Anglican church is relatively strong in the country. Have they been involved in the democracy questioning?

Ms. NEWMAN. The answer is yes. I have met with some of the leaders in Zimbabwe and some of the most local people questioning human rights generally, and the rights of the people there from the religious institutions. And one of the most vocal groups in South Africa questioning the election was the Council of Churches.

Mr. PAYNE. Great. Thank you very much.

Mr. SMITH. Chairman Royce.

Mr. ROYCE. Thank you, Mr. Chairman. Thank you, Secretary Newman, for your testimony. I think it was forceful and to the point. We all share frustration over the rather calculated destruction of Zimbabwe.

A few years ago I remember attending the International Conference on Torture. The subject matter was torture used on citizens of Zimbabwe by the Government in order to suppress, in civil society, any opposition to the powers that were being exercised by the executive branch there.

You discussed the collapse of the economy, and you attribute part of that to the Government's disastrous economic policies. You don't mention the land seizures specifically, but those have destroyed Zimbabwean agriculture.

The United States has provided \$300 million in humanitarian assistance since 2002. That is a big, big amount, especially given all the other problems on the African continent. Not many countries in the world would make this kind of a commitment, especially to a country that is self-destructing. Secretary Rice, in her confirmation hearing, called Zimbabwe an “outpost of tyranny.” I want to ask: What has that meant in terms of United States policy toward Zimbabwe? Has policy changed? I wanted you to maybe elaborate a little bit on the food-as-a-weapon topic that you touched on briefly in your statement here.

You mentioned that food was used as a weapon during the elections, and that it was being distributed only to ZANU–PF supporters, and of course, this has been done in several past elections. I have got a CRS report addressing the run-up to this election that reports that non-governmental organizations in Zimbabwe were excluded from food distribution, and that the Government’s Grain Marketing Board was, in fact, the sole supplier of food. You also mention in your testimony that the United States will not allow the Government to control the distribution of food in Zimbabwe. Well, are we really sure we can do that, given the fact that that is exactly what the Government is doing in Zimbabwe?

You also mentioned that it was disappointing that South Africa concluded that the election was legitimate. Well, they concluded that prior to the election even taking place. I like your point that for South Africa to do this, it was an insult to the people of Zimbabwe. We have long looked to South Africans to push democracy and human rights there. You mention that Zimbabwe policy is under review. I hope this new policy will have no illusions about the current South Africa Government. It is clear to me that the ANC is not indifferent to democracy in Zimbabwe; its Government, through its actions, opposes democracy in Zimbabwe. In fact, President Mbeki said the election would be free and fair even before it occurred. This really gives me pause.

So instead of waiting for South Africa to do something that it has shown no inclination to do—that is, to defend democracy—let’s realize that if our policy is going to have a chance of making a difference, we must deal with what is, not with what we would hope for from our South African friends.

I would welcome your thoughts on those issues. We have had this dialogue for so long with South Africa, and then as I say, to have President Mbeki say no, it is free and fair before the election even occurs, is clear that we have got to recognize the reality in terms of how this is going to be approached by the ANC.

Thank you, Secretary.

Ms. NEWMAN. I think that I will approach the topic of the policy first, and then food as a weapon.

In reviewing where we have been and where we should go in the future, among the topics to consider is how we relate to what other governments believe is the right approach. And that means we don’t need to question the intent of President Mbeki, but it also does not mean that we buy into his approach. And I think that it is clear to all of us that what has gone on in the past didn’t bring about free and fair elections and has not improved the lives of the people. Therefore, we need to look to a new approach. And it may

be in conjunction with others, but it needs to be the most effective way for the United States to use its power and its technical assistance to make a change here because we care about the people. I can come back to that, but that goes to the money that has been spent on food and what our approach should be in the future.

We have gone out of our way, as we always do, not to have the people of the countries sacrificed because of their leaders when it is a matter of life and death, when it is a matter of famine. And we make those strong statements that we need to continue with, in my view, that we will not use our food and our ability to feed food to the people to make the policy points.

On the other hand, it is not just in Zimbabwe, but the issue has also come up in Ethiopia, where we see that year after year after year, we are paying large amounts of money for food. It calls into question whether or not these countries are structuring their policy so that they can become food secure. In other words, there is a need here, if we get to a point that we can work with the governments, to emphasize the need for them to develop agriculture rather than continuing to put ourselves in a position where year after year we are providing famine relief and the people are in no better shape in the next year than they were in the previous year.

All of this goes back to your point, that now is the time for the United States to question its overall strategy dealing with Zimbabwe, not just in terms of governance, but also in terms of how we relate to the humanitarian difficulties, the need for food and non-food assistance, and how we should go forward—not using the people, not sacrificing good people on the one hand, but on the other hand, not allowing our resources to allow that Government to continue operating as it has in the past.

Mr. ROYCE. But I assume, as the Government has propped up, we have \$300 million worth of humanitarian assistance going to Zimbabwe since 2002. We find out that NGOs are not allowed to do the distribution, it is turned over to the Government. The Government is propped up, as it goes systemically through the system of eviscerating the courts with forced retirement of all the independent judges. We watch step by step as the country is imploding and resources go through Zimbabwe's Government through the international community, not just the United States, but through the international community. I am just saying we need a strategy; if we care about the people in Zimbabwe, we need a strategy.

Ms. NEWMAN. Yes, I agree. I didn't make it clear, however, that we use the non-governmental organizations, Catholic Relief Services and World Vision, those kinds of organizations, but you are right, you are right.

Mr. ROYCE. Thank you.

Mr. SMITH. Thank you, Mr. Royce. Just a point of clarification. When Mr. Royce said CRS, he meant Congressional Research Service and not Catholic Relief Services. Because one of these, I think all of us are always concerned about, is the issue of retaliation, and CRS and World Vision and other groups are there, and they care about the situation politically, but that is not their mission, as we all know. And I would hate to see anything inadvertently ever happened because Mugabe's regime got the wrong message.

Ms. NEWMAN. Yes.

Mr. SMITH. Okay. Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. And thank you for your testimony, and thank you for being here.

You indicated that you are meeting every day, and that United States policy toward Zimbabwe is under review. We all know that we engage with some dictators that we like, we don't engage with some we don't like. We engage with some Presidents, duly-elected Presidents that we like, some that we don't like, such as President Aristide. And I see a pattern that is very similar to what we saw in Haiti, a pattern of isolation, destabilization. Various, I think, indications to me are that, you know, the Bush Administration's policy of regime change could be on the table as it relates to Zimbabwe. And so I would like to just ask you, in your discussions and upon your review, I mean, is this a case for ousting a leader and justify that ousting based on the Government's inability and all the issues that we have dealt with?

Ms. NEWMAN. I haven't been in any of those discussions. What I think is fair for me, though, to say to you is what really ought to happen. And I think what is happening here is that the first level of discussion does not take into consideration the larger political issues and, in other words, what I always say to people developing policy is, bring the facts, the analysis, the data clean, bring the options clean and what the pros and cons of those are. Then the policymakers will have to look at how they come out in a larger context.

And I guess I am not sure that one size fits all. I think you do have to go case by case and you have to say for Zimbabwe—that you might treat Zimbabwe and Sudan in a different way for different reasons, but so long as the going-in analysis is one that doesn't fool the policymakers by being incorrect in stating what the facts are.

Ms. LEE. I believe the former Assistant Secretary had suggested regime as it relates to Zimbabwe. And I am just curious of the basic fundamental elements of this foreign policy. When we get to that point, that is an option.

Ms. NEWMAN. The option is that people should decide their leaders in free and fair elections. The people ought to decide. And what we ought to be involved in is helping to build a civil society and political parties so that there are free and fair elections. I think it is very dangerous to talk about overriding the people.

Ms. LEE. That is good to know, that the military option is not on the table to oust Mugabe. Let me ask you about HIV and AIDS. I guess it was Wednesday's *Washington Post* that carried a story on the devastating impact of the AIDS pandemic in Zimbabwe. And yet it is my understanding that the PEPFAR initiative and the AIDS initiative doesn't focus much on Zimbabwe's poor and needy, but mostly on other countries. And I would like to get a handle on, Do we work with the ministry of health in Zimbabwe? Do we have an active HIV and AIDS program there?

Ms. NEWMAN. Zimbabwe has one of the largest HIV/AIDS programs for a country that is not one under the President's initiative. That is at the \$23 million level. The programs include prevention and treatment and a special program for orphans. And the lion's share of this goes through non-governmental organizations. Only

\$1.5 million of the \$23 million goes through the ministry of health. And I know when I was at USAID, we moved the programs out of the Government and through the non-governmental organizations to run the HIV/AIDS program.

Ms. LEE. So do you see any siphoning off of funding though, for the AIDS initiative such as has been alleged in the press?

Ms. NEWMAN. I don't know of that. I think it is fair—we can ask the question. I don't think the people who are managing it think that is happening, but I read the article, too, and I think it does call for us to question whether or not that is true.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE QUESTION ASKED BY THE HONORABLE BARBARA LEE DURING THE HEARING

GOVERNMENT OF ZIMBABWE AND CORRUPTION

USAID and CDC maintain strict oversight of money spent on HIV/AIDS programs in Zimbabwe. We are aware of no case where money has been siphoned from a USG-supported program.

Our HIV/AIDS assistance to Zimbabwe is channeled almost entirely through NGOs. One exception is an HIV/AIDS pilot program to distribute anti-retroviral drugs, where USAID and the CDC provide limited *technical* assistance to the Ministry of Health on HIV/AIDS programs. This ARV program in Zimbabwe was one of the first overseas ARV programs the USG launched anywhere in the world. It amounts to approximately \$1.5 million per year.

Ms. LEE. Thank you, Mr. Chairman, very much.

Mr. SMITH. Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. Madam Secretary, I only have one question and it is to a broader issue, I suppose, because it seems as I listen to the issues that are developed in country after country in Africa, I look for that thing that we may be able to eventually see as an instrument to bring about change on the African continent, positive change. And I guess I am wondering if you could help me think through what we need to do to get the African Union to be a much more effective organization for that purpose. I recognize that oftentimes it has been difficult to get them to intervene—certainly that is the case in Sudan—in a more dramatic way and a more effective way because of their hesitancy to say anything or do anything that would be perceived as negative to another African country. And they don't want to criticize for fear—well, for their own reasons. What is it that we can do to make the AU the entity we can go to in cases like this and throughout Africa and rely on them to provide some leadership that presently certainly does not exist?

Ms. NEWMAN. Congressman, I have a somewhat different view of where the African Union is today as compared with the organization African Union, the predecessor. I think now with Chairman Konare, President Obasanjo, and previously President Chissano, there is much greater accountability on the part of the African Union to intervene and there is much more—

Mr. TANCREDO. What do you mean a greater accountability to intervene?

Ms. NEWMAN. As a matter of fact, at the last summit a year ago which I attended, they called in a number of the Presidents. They called in Kagame and Kabila to talk about what was going on in the Great Lakes. They called in President Gbagbo to talk about

Cote d'Ivoire. As a matter of fact, they called in President Mugabe. We weren't—outside people weren't in those meetings, but it was clear to us that the leadership of the African Union was taking seriously their responsibility to call into question the behavior of others on the continent.

The African Union NEPAD, the new partnership, has set up this peer review process that has just started. Ghana is the first country being reviewed under that, but it is a slow process. I think we should be using our resources to help them make this work, because when Chairman Konare was here last week, he did suggest that there is a need for them to remove some of their bureaucratic processes. But he said, the AU is an organization of many countries. They have to get a certain level of agreement on what it is that we are doing or they won't come with us. But he did, particularly in terms of peace and security, talk about what it took in Darfur saying the AU has to move faster and is prepared to do that.

But we need to be available to them on their terms to provide help in strategic planning and in support. So I just say, I think they are on the right path. We also have to change our behavior in that we need to follow their lead and help them on their terms and not how we think they should be helped.

Mr. TANCREDO. Do we have any sort of strategy in place for that? Do we actually have a plan to strengthen the organization to the extent that we are able to?

Ms. NEWMAN. It is not that sophisticated a plan, but the African Union has now proved that they have an office set up in Washington and one in New York. We are talking about ways in which we might help their office here in Washington. We are talking about having our Ambassador in Addis be permanently recognized by the African Union and a participant in their activities. So we are putting in a more formal way a relationship with the African Union that I think puts us on a different plane and allows us to be more helpful and not just an outside viewer of what is going right and wrong there.

Mr. TANCREDO. Mr. Chairman, I would request of you to consider a hearing at some point in time at which we would have the African Union, people who are here, the office she said just opened, and any other members, so we could more thoroughly go into what we could do to help and what we can expect of them. Just a consideration. Thank you, Madam Secretary.

Mr. SMITH. Thanks for the idea. Ms. McCollum.

Ms. MCCOLLUM. Thank you, Mr. Chair. It has been discussed but I want to understand what our options may or may not be. My understanding from conversations and from testimony is that many of the countries in the region, Malawi and Mozambique and the rest, they know there is a food insecurity problem and they knew it was coming. It is my understanding that when we were working with other NGOs to do our planning on what should we be anticipating the food aid needs to be, that in Zimbabwe, we were pretty much told, no, we don't have a problem and that was prior to the election.

Now we know that the requests will most likely be coming forward and NGOs are having great difficulty in knowing that the

food is getting to those who need it. Referring back to *The Washington Post* article on AIDS, the same thing is true with NGOs and others kind of moving forward, but very carefully so that they are not identified and removed from the country so they can't continue to do the work that they are able to do in a very limited fashion. They are concerned about the siphoning off of public funds for private gains.

That means going back to—international donors are more reluctant to deal with the President. So I don't believe in, as Ms. Lee was saying—she doesn't believe in it either—regime change. But I keep hearing the African Union being referred to—I was in Darfur and I have been in some of the other areas. Africa is a very poor continent with a lot of challenges. We take some of the best of the men with leadership skills out of their communities to go in and help Africa intervene on behalf of herself to become a stronger continent with the countries being stronger.

What is our commitment not only to making sure that food and resources are getting to where they need to be, but what is our strategy toward the African Union? When we were in Darfur, they had limitations on what they could do to intervene, but they also had limitations on manpower for being able to intervene. They had limitations of how much area they could patrol at any time. We keep referring to the African Union, but the African Union is only as strong as collectively it can be through donations to countries that are struggling with AIDS and food insecurity. And with what the European Union and Japan possibly and the United States puts into making the African Union function, and yet still retain its autonomy and its independence to truly be the African Union—do we have a strategy?

Ms. NEWMAN. I will take two categories of questions. On the first, the monitoring of humanitarian assistance: Prior to the election, President Mugabe went out of his way to show that they didn't need food and I think that was for two purposes. He wanted his people to think that they were on top and they didn't need the outside world, and secondly, he was manipulating the use of food.

That, though, was not food and nonfood assistance that came from the U.S. Government. We are quite comfortable, but as I said earlier, we will look into it, but we are quite comfortable that the food that we give and the nonfood assistance that we give does go to the people. What is called into question, however, is are there certain geographic areas that have been off limits? Are there places in which our humanitarian aid cannot get and does that result in a fair distribution of the resources we have, and that we need to look into? But I don't think that there is a concern that we need to have about corruption in the use of the food that is distributed.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE QUESTION ASKED BY THE HONORABLE BETTY MCCOLLUM DURING THE HEARING

LIMITATIONS ON OUR HUMANITARIAN ASSISTANCE PROGRAMS

USAID funds feeding programs targeted at vulnerable sections of the Zimbabwean population such as schoolchildren and HIV/AIDS sufferers. These programs are operated by private voluntary organizations (PVOs).

The operating environment has deteriorated over the last year, as PVOs have found it increasingly difficult to import food and obtain work permits for expatriate

staff. However, to date the Government of Zimbabwe has imposed no geographic restrictions on these programs.

Ms. NEWMAN. The larger issue is, What kind of programs can be put into place in order to reduce the dependency that the people have on these emergency situations? And that is harder. That is harder to do. That also requires more front-end investment in agriculture programs and training people. But that is what the Government is trying to do now in Ethiopia. In working with the African Union, yes, we have a strategy. We go to almost all of the meetings. The G-8 members now have, two and three times a year, meetings with the African Union and the New Partnership for Africa's Development (NEPAD).

There are direct conversations that are held about what are their needs and what way can the G-8 and the OECD countries work with them. It is not a science, but I think it is progressing in a much more sophisticated way than any of the previous relationships with the predecessor African organization. And I do really believe that the leadership on the continent, not just those in the leadership of the African Union, but leadership generally, is serious about taking responsibility.

Just what happened in Togo and the leadership of the Economic Community of West African States (ECOWAS) and backing off the coup and insisting they go to election, that didn't come from the outside; that came from Africa and African leadership. So I am quite optimistic, I don't think foolishly so, that what is going to turn the continent around are Africans themselves changing their own behavior and us responding to them on their terms.

Mr. SMITH. Dr. Boozman.

Mr. BOOZMAN. No questions.

Mr. SMITH. Ms. Watson.

Ms. WATSON. Thank you so much, Mr. Chairman. I am sorry I missed most of Dr. Newman's testimony, but I want to thank you for being here. And I want to address my comments to the AIDS pandemic and the fact that Zimbabwe is not one of the receiving nations in terms of our contributions. Can you talk to us about the people of Zimbabwe and how they are being impacted because we are not providing the kinds of resources to address the AIDS pandemic? Can you talk to us a bit about that?

Ms. NEWMAN. Yes, we could do more. We do know that about a fourth of the sexually active population is HIV/AIDS positive. Zimbabwe does represent one of the countries with very high percentage of people who are HIV positive. No, Zimbabwe is not one of the 15 PEPFAR countries, but it turns out that Zimbabwe actually is receiving one of the highest levels of money for HIV/AIDS programs. It is receiving \$23 million.

Ms. WATSON. Can you explain how they receive it?

Ms. NEWMAN. Prior to the President's initiative, the USAID—through both global health and also through the regional programs—had money for health and money for HIV/AIDS. And the agreement at the beginning of the President's initiative was that that money would stay for HIV/AIDS and that the President's initiative would be over and above that.

So now both USAID and CDC have programs in Zimbabwe. They cover prevention. There are 20 voluntary counseling and testing

services. They are training over 200 faith-based leaders. They have a special program for children. There is the range of HIV/AIDS programs there in Zimbabwe. It isn't coming through the President's initiative. And yes, you know——

Ms. WATSON. What kind of impact is it making?

Ms. NEWMAN. I can't answer that. I need to get back to see——

Ms. WATSON. Can you?

Ms. NEWMAN. Yes. My understanding is that over 100,000 deaths annually. The question is, what does this do to reduce that? And I don't know the answer that.

Ms. WATSON. I can take my answer in writing, if you will. Thank you so much.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE QUESTION ASKED BY THE HONORABLE DIANE E. WATSON DURING THE HEARING

ACCOMPLISHMENTS OF OUR HIV/AIDS PROGRAMS

USAID and CDC spend more than \$23 million per year to fight HIV/AIDS in Zimbabwe. Their programs support voluntary HIV testing and counseling; assist those who test positive; underwrite behavior modification and awareness campaigns; assist orphans and vulnerable children (more than 173,000 children have been assisted); and fund anti-retroviral therapy programs and a national prevention of mother-to-child transmission program (almost 49,000 pregnant women attended USAID-supported sites in 2004).

As the largest HIV/AIDS donor, the United States is in the forefront of efforts to mitigate the epidemic in Zimbabwe, where roughly 25 percent of adults are infected with HIV. Our Zimbabwe programs are an important part of our larger effort to address the health crisis in the wider southern Africa region.

Mr. SMITH. Let me conclude with a few final questions if I could. Secretary, the issue of looking east and the look east policy that Mugabe has followed, going to China and going to Malaysia to break the economic embargo and particularly in the area of weapons, I noted that there was an AFP report that recently Mugabe took delivery of six more jets. An estimate of something in the order of \$200 million was spent procuring fighter jets at a time when his regime could use that money for humanitarian, for HIV/AIDS and a whole host of other humanitarian initiatives. He is looking to beef up his military. Has there been any attempt made to engage the AU with China and with these others who are, again, working in a way that is completely counterproductive to trying to promote democratic reform and human rights observance? And are we doing anything to get the PRC and other countries in the east to have at least some respect for what this country and others are trying to do?

Secondly, you said in your statement we would not allow the Government to distribute the food aid and that it needs to go through, obviously, PVOs and NGOs. What happens if they are kicked out, which is a concern we all have? On the NGO bill and I don't know, and you may know better whether or not it has been signed. I know it is on his desk. In regards to issues of governance, it also gives the minister of public service, labor and social welfare absolute control over the appointment of the NGO counsel and it decides on registration and deregistration.

It seems to me that indigenous human rights organizations and NGOs that do honest reporting and seek to speak truth to power are put at grave risk with this additional statute joining all the

others that they have that also are very repressive in nature. This to me could be a serious blow to civil society. What is being done, again, by all interested parties, including ourselves, the AU and others to try to get Mugabe not to sign that bill?

Ms. NEWMAN. I will start with the NGO bill first. He has not signed that bill. He has not signed it. My understanding is that people did go to him to let him know what would come down on him if he signed it. Whether he is inclined to sign it now after the election, I don't know. Maybe not, maybe not, because he could figure out that it also could limit resources coming into the country that he may want to have come into the country. We have spoken out on it. I think it is clear. The provisions of it are damaging, also to indigenous organizations, which may not have been his intent, but I don't know.

I think when we get back, I will have to talk to the Ambassador to see if he has an idea of what is likely to happen, but he hasn't signed it. It will be a problem if the non-governmental organizations are kicked out. You know that is always a balancing of how tough you get. Where do you draw the line that might cause a leader to decide you can no longer have the international organizations there? And is there a point which you are willing to sacrifice that because what is going on is so bad?

So there is always a balancing of that. It would be our preference not to have the non-governmental organizations kicked out, because it is not only the provision of humanitarian assistance that is important, but there are also great contacts to civil society which can help train and develop civil society to question the Government.

On expenditures for military purposes, as you know, this is a difficult issue everywhere—how much when you have great need? But countries believe they need to protect themselves. What is a legitimate balance? World Bank and IMF have data on this. I don't think we need to worry too much because frankly, what has happened in Zimbabwe is they are not paying their bills. Some of these folks that were originally doing business are not doing business with them now—Libya, for example—because they are a debtor.

[The information referred to follows:]

WRITTEN RESPONSE BY THE HONORABLE CONSTANCE BERRY NEWMAN TO THE QUESTION ASKED BY THE HONORABLE CHRISTOPHER H. SMITH DURING THE HEARING

U.S. ENGAGEMENT WITH CHINA ABOUT ARMS SALES

In recent years, Zimbabwe has sought to break out of its international isolation by cultivating commercial and military ties with China. This so-called "Look East" policy has led to modest Chinese investment in agriculture and other sectors of the economy. It has also resulted in limited Zimbabwean purchases of Chinese weapons, including small numbers of military trainer aircraft.

This relationship has been constrained by Zimbabwe's poor creditworthiness and its severe shortage of foreign exchange. We do not believe that Harare's limited arms purchases from China have jeopardized the regional military balance or pose a threat to Zimbabwe's neighbors. For this reason, we have not approached Beijing on this issue.

Mr. SMITH. If I could, and maybe this is something you would know readily, but it is something I think we should pursue. But my hope would be that Louise Arbour, the High Commissioner for Human Rights, has weighed in or will weigh in on asking President

Mugabe to not sign that bill because it would do great injury to the human rights fabric of what happens in his country.

And certainly she would be interested in that. I want to thank you so much for your testimony, for your very, very fine and outstanding leadership on behalf of all Africa and particularly today for Zimbabwe. We look forward to that ongoing conversation with the Subcommittee and the Full Committee. And I look forward to hearing back from you, you said a month or less, that would be great.

We do have a series of votes coming up, but I would like to introduce our next panel of witnesses, and then we will take a brief—I understand Tom Tancredo has gone over to vote and he will come back.

Dr. Greg Mills, who is the National Director of the South African Institute of International Affairs, and Director Designate of the Brenthurst Foundation, having taught at the Universities of Western Cape and Cape Town. He joined the South African Institute of International Affairs in January 1994 as First Director of Studies in July 1996 as the National Director. He has published more than 20 books, the most recent being *The Security Intersection: The Paradox of Power in an Age of Terror*. He is also widely published in international journals and the South African and International Press.

We will then hear from Mr. Jeffrey Krilla, who joined the International Republican Institute (IRI) in July 2001 as a Regional Director for Africa and he oversaw programs throughout Africa. He has overseen election observations in Kenya and Nigeria and led assessment missions to Malawi, Mozambique, Sudan, Tanzania, Uganda, and Somaliland. Prior to joining IRI, Mr. Krilla served as senior aide and attorney in the U.S. Congress for 8 years, including time as majority counsel for the U.S. House of Representatives Commerce Committee and Chief of Staff for Congressman Mike Pappas.

During the time that Mr. Krilla worked for the U.S. House, he founded the NGO “Fill Their Shelves,” which provides children of southern Africa with educational tools needed to develop skills and knowledge necessary to excel in the 21st century. From 1991, he taught in a rural high school in South Africa, and we are happy to have him. He has written works, including *Democracy in Africa: Women Need Not Apply* and *Small Footprint, Giant Step in Liberia*.

We will then hear from Shari Bryan, who currently directs the southern and east African programs at NDI. She previously served as Deputy Director of the Institute’s programs in central, east and west Africa. And she also worked at NDI’s political party as the political party expert in Nigeria and oversaw joint NDI Carter Center election observations missions from 1998 to 1999 polls in that country.

Before joining NDI in Nigeria, she worked for USAID as a democracy and governance advisor in the south African Nation of Malawi.

And finally, we will hear from Dave Coddington. He has been with the Catholic Relief Services since 1994 working mainly in Africa. He currently serves as the southern Africa regional representative based in Baltimore, Maryland. In that position he coordinates

CRS's work in Zimbabwe from the headquarter's office and makes periodic trips to the country.

I hate to inform you, but we have five votes so we will begin with our first witness and then proceed to a brief recess and then reconvene the hearing.

Dr. Mills, if you would begin.

**STATEMENT OF GREG MILLS, PH.D., DIRECTOR-DESIGNATE,
THE BRENTHURST FOUNDATION, SOUTH AFRICA**

Mr. MILLS. Thank you very much, Mr. Chairman, and thank you for the opportunity and invitation to be here today. It was a long way to come for this presentation, but I am sure very much worth it. I would like to state for the record, I am no longer the National Director of the South African Institute of International Affairs, but since this Monday, the Director of the Brenthurst Foundation. Now during his visit to South Africa in July, 2003, President Bush declared South Africa's President, Thabo Mbeki to be the point man, I quote, on Zimbabwe.

And I asked myself the question and asked for the purpose of this Committee testimony: How is the point man doing, and are fresh tactics now called for by external—and especially non-African—players in the light of the 31st of March 2005 parliamentary elections in Zimbabwe? My testimony will focus on three areas or three questions. The first is: What has been the record of south African policy toward Zimbabwe? Why has it pursued this particular line of action? And is this line of action consistent with South African regional foreign policy overall and with its stated human rights orientation?

The second of these questions is: What has been the impact of this policy on Zimbabwe? And the third of these is: What policy options? And this is where I will go through my short time available. Mr. Chairman, I am not going to read out my full testimony. It is available. I am going to briefly summarize it. In terms of its African policy, which is the centerpiece of South Africa's foreign policy through NEPAD, in terms of conflict resolution, the South African Government has devoted considerable resources on a sustained basis over the last decade, including in Burundi, Congo and Sudan peacekeeping troops.

The Congo settlement came about as a result of the South African-sponsored Sun City talks. Over Burundi, Pretoria has dedicated former President Nelson Mandela and then the current Deputy President, Jacob Zuma, to the task of securing a peace agreement and latterly facilitating a transitional Government and a new Constitution. South Africa also Chairs the AU Committee on the Reconstruction of Sudan. President Mbeki has acted as a mediator on behalf of the AU to expedite the peace process in Cote d'Ivoire.

More indirectly, South Africa has played a supporting role in the recent rejection of Togo's attempt to unconstitutional transition following President Eyadema's death. In these and other respects, South Africa's policy amounts, wittingly or not, to attempting to export its own transitional conflict resolution model and in so doing, South Africa has championed the objectives and principles of the African Union, including a commitment to promote democratic principles and institutions, popular participation and governance.

Yet in contrast the South African's Government policy over Zimbabwe has steadfastly been to avoid confrontation with Harare in terms of conflict resolution, instead preferring to attempt to facilitate contact between ZANU-PF and the opposition MDC. In so doing, Pretoria's caution has contrasted with the profile of President Mbeki's expansionist African visions and his commitments.

When not quiet, Pretoria's diplomacy has generally included expressions of support for ZANU and criticism of the MDC along with occasional mild rebuke of aspects of Mugabe's policies. These attempts at facilitation have not resolved the political process and they have not, as we have noted earlier, resolved the economic crisis as well. This, of course, is evidence of the truism in Africa that the principal economic challenge in Africa is not economic at all, but indeed political. South African policy, however, remains consistent. Only a week ago, President Mbeki said in the South African Parliament on April 14 that although the jury was still out on whether Zimbabwe's parliamentary poll was free and fair, South Africa's policy toward its neighbor would remain unchanged.

We have, he said, insisted for some time that the solution lies in the hands of Zimbabweans and we will persist with that position. Pretoria is today centered on one major short-term foreign policy goal when it comes to Zimbabwe: To acquire the support of both parties, to change the flawed Constitution—its own words—and I quote, "To get rid of certain legislation such as the public order and Security Act." The tactic to achieve this consensus is through facilitating contact and talks between the MDC and ZANU-PF.

In this, Pretoria would prefer to see the United States and everybody, and I quote, "putting pressure on and ensuring dialogue, engaging with the MDC and ZANU and not playing to the gallery." South Africa's policy choice of constructive engagement, described somewhat pejoratively as quiet diplomacy, reflects as a combination of its own political traditions its stress on compromise and negotiation, the history of race and colonialism in the region, and the resonance of these factors including land distribution domestically in South Africa and a belief that the alternatives to this policy—including criticism of Mugabe—will only marginalize the role played by external powers.

This may explain why President Mbeki has endorsed the efforts of the Zimbabwean Government in dealing with colonial inheritance of inequitable racial land redistribution while at the same time arguing that his critics are wrong if they believe that Zimbabwe's leaders will simply obey what he tells them. Perhaps more interestingly, it raises questions about what the options are for ZANU-PF and MDC. Mugabe, in my opinion, holds now with his two-thirds majority most of the political cards, yet his aim appears to be to create a facade of stability and consensus within Parliament using the MDC while increasing his discretionary powers and cementing his rule through constitutional means.

He would hope in so doing, it appears, for greater international acceptance and possible economic recovery through donor support including the IMF and through Harare's burgeoning Chinese interest, the so-called eastward's policy. Thus only to a limited extent, the future depends on whether the MDC is prepared to play along. And the early signs are that the MDC is prepared to play along in

Parliament. And a number of policy alternatives—and this is where I like to conclude—arrives in the light of this assessment.

These options have to be fundamentally cognizant of the unlikelihood of the South African Government abandoning its current policy approach. In my opinion, Pretoria will continue with sporadic attempts to bring the parties together, but likely only with rhetorical and peripheral success given Mugabe's and ZANU's obduracy. In the circumstances, the U.S. and other mainly Western partners have five options to get out of the current policy rut, and none of these options, Mr. Chairman, are mutually exclusive.

The first of these options is to continue and ratchet up the current sanctions regime, widening the list of individuals coming under targeted sanctions. What will be the likely impact of this? This will, in my opinion, undoubtedly both alienate and irritate the Zimbabwean Government, which craves international attention and acceptance, and its African partners including South Africa. It was likely to have little impact, however, on the policy of Zimbabwe, given that ZANU has displayed a willingness to allow the country to implode economically to ensure that it stays in power. It has also openly, wherever it can, flouted sanctions—Mugabe's trip to the Pope, being the most example, raising questions about enforcement.

There is little doubt that targeted sanctions hurt key figures in the regime craving international acceptance, but even if they remain in place to maintain pressure, other forms of engagement should occur in parallel. The second policy option is to link progress and assistance for wider Africa initiatives, including support for NEPAD to a change in African and specifically South African policy. The likely impact of this will be, in my opinion, again, that this will be widely rejected by Africa as akin to throwing out the baby with the bathwater and may only serve to add credence to Mugabe's portrayal of the crisis as having colonial or neo-colonial roots.

It may make it, indeed, more for Mbeki and others to apply pressure on ZANU-PF, both for this reason and given the resonance that Mugabe's argument would have within their own domestic constituencies. The third policy option that you have heard earlier, Mr. Chairman, is to target an increase in overt support for the pro-democracy movement in individuals within Zimbabwe. Now this could occur along similar lines to the support offered to the South African Liberation Movement during apartheid, including financial support for legal costs, institutional support of key organizations such as the national constitutional assembly and church bodies and fellowships and scholarships.

In my opinion, the likely impact is given that the short-term change will come from within ZANU, this is at best a long term strategy for capacity institution-building. It will also serve to focus Zimbabwean Government's attention and ire of these particular individuals. It also feeds into Mugabe's rhetoric about the MDC being a creation of Tony Blair. Over the longer term, such civil society-oriented assistance will, however, be the platform making democracy possible. The second last policy option is to do nothing more, or to leave things as they are, maintaining the existing sanctions regime in place. Likely impact of this is as unpalatable as this may

be from a Western, domestic, political and human rights perspective in the longer term. Leaving Zimbabwe to its own political and economic devices may permit the situation in academic parlance to ripen reaching a tipping point leading to radical political change.

However, this will likely result in unacceptable widespread humanitarian catastrophe in the intervening period. And finally, what I believe is the most important usable and pragmatic policy option at the moment is what I call strategic engagement with key individuals and countries to urge reform in Zimbabwe. Now this could occur both through the African Union and other multi-lateral bodies such as the IMF and with bilateral American-African partners such as Botswana, Nigeria, Ghana, Mozambique and Uganda as well.

South Africa and key members of the international African Congress could be brought on board for this option, in my opinion, and would welcome a change of approach from Washington. And it would be critical to the success of such a strategic engagement option that they work. Such a strategy would also have to involve engaging with reformist elements in ZANU–PF factions along with influential individuals both inside Zimbabwe and within the Diaspora. This will crucially have to involve placing on the table an attractive recovery package for Zimbabwe including on land but clearly conditional on political reform as well as an exit strategy for Mugabe. This may involve the appointment of a United States special envoy to Zimbabwe. The likely impact of this demands a level of sophistication and knowledge of Zimbabwe and Western policy, in my opinion, hitherto invisible, but it may be the best and least disruptive means of ensuring political change and economic and social stability in Zimbabwe in the short term.

The absence of Western engagement on Zimbabwe will not only complicate the search for wider solutions to African development issues through NEPAD and other initiatives, but may lead to an increasingly Eastward’s—i.e., Chinese—orientation in select African foreign policies.

Two sentences in conclusion. In contemplating the way forward for Western policy toward Zimbabwe, four issues are critical. First of these is to abandon any use of the terminology of regime change, instead suggesting change within the regime. The second of these related to this point: In the absence of a more strategic approach being adopted by the MDC, which we have seen nothing of, sadly, over the past 3 years, change in Zimbabwe is most likely to come from within ZANU–PF—particularly given the election results of the 31st of March. Thus the aim should be to cultivate relationships with ZANU, but importantly, not necessarily just from the ranks of incumbent politicians. And in so doing, identifying factions and encouraging reformists.

The third point is to not wait until Mugabe’s retirement or death before engaging. Nor will his death or departure simply solve Zimbabwe’s problems. As Togo has shown, the absence of leadership does indeed create problems. And fourth and finally, and perhaps the most important issue is to ask Zimbabweans what they want.

[The prepared statement of Mr. Mills follows:]

PREPARED STATEMENT OF GREG MILLS, PH.D., DIRECTOR-DESIGNATE, THE
BRENTHURST FOUNDATION,¹ SOUTH AFRICA

During his visit to South Africa in July 2003, President George W Bush declared South Africa's President Thabo Mbeki to be the "point man" on Zimbabwe. He stated then: "I have no intention of second-guessing [Mbeki's] tactics. We want the same outcome. Mbeki is the point man in this important subject, he is working very hard and is in touch with the parties involved, and the US supports him in his efforts."²

How is the *point man* doing, and are fresh tactics now called for by non-African players in the light of the 31 March 2005 parliamentary election in Zimbabwe?

This testimony to the House Committee on International Relations will focus on three issues:

- What has been the record of South African policy towards Zimbabwe? Why has South Africa pursued this particular line of action—and is it consistent with South African regional foreign policy overall? Is South Africa's record on Zimbabwe consistent with the stated human-rights orientation of South African foreign policy?
- What has been the impact of this policy within Zimbabwe?
- What policy options are there in the circumstances for other external actors?

South African Foreign Policy: An Appraisal

South African regional foreign policy is officially³ based on the realisation "that the future of South Africa is inextricably linked to the future of the African continent and that of our neighbors in Southern Africa." The Republic's engagement with Africa thus "rests on three pillars: Strengthening Africa's institutions continentally and regionally *vis-à-vis* the African Union (AU) and the Southern African Development Community (SADC); Supporting the implementation of Africa's socio-economic development programme, the New Partnership for Africa's Development (NEPAD); and, Strengthening bilateral political and socio-economic relations by way of effective structures for dialogue and co-operation."

Or in the words of the Foreign Minister Dr Nkosazana Dlamini-Zuma at the 2005 Foreign Affairs Budget vote in Parliament,⁴

In order to meet the development needs of Africa, African leaders have pledged that Africans should possess their own future and development agenda. Nowhere more than in Africa has the need for the mobilization of resources to address the developmental challenges facing the people been so stark. . . . it is our assertion that without the necessary resources to address developmental challenges, the issue of conflict resolution, peace and stability will remain elusive. . . . We make bold the statement that Africans themselves must take destiny into their own hands. In this regard, Africans must themselves be at the forefront of mobilization of their own resources to address the developmental challenges facing the continent. In this context, NEPAD will only succeed to the extent to which Africans themselves are prepared to take possession of their own economic recovery and renewal.

This has incorporated a more proactive role, through the African Union, in settling African conflicts, including notably in Burundi, the Democratic Republic of Congo (DRC), Sudan and, more recently, Côte d'Ivoire.

In each of the aforementioned cases, the South African government has devoted considerable resources on a sustained basis, including, in Burundi, Congo and Sudan, peacekeeping troops. The Congo settlement came about as a result of the South African-sponsored Sun City talks. Over Burundi, Pretoria has dedicated former President Nelson Mandela and current Deputy President Jacob Zuma to the task of securing a peace agreement and, latterly, facilitating a transitional government and new constitution. South Africa chairs the AU committee on the reconstruction of Sudan. In Côte d'Ivoire, President Mbeki has acted as a mediator on behalf of the AU to "expedite the peace process".⁵ More indirectly, South Africa

¹ The Brenthurst Foundation is a non-governmental think-tank dedicated to improving African economic performance, based in Johannesburg, South Africa. *mills@eason.co.za* EMBARGOED UNTIL DELIVERY, 21 APRIL 2005.

² At http://www.southafrica.info/doing_business/sa_trade/agreements/bush-savisit.htm.

³ SA Department of Foreign Affairs' Strategic Plan 2005–2008, at <http://www.dfa.gov.za/departement/stratplan05-08.pdf>.

⁴ At <http://www.dfa.gov.za/docs/speeches/2005/dzum0415.htm>

⁵ At <http://www.dfa.gov.za/docs/speeches/2005/paha0415.htm>.

played a supporting role in the regional rejection of Togo's attempted unconstitutional transition after President Eyadema's death.

In these and other respects, South Africa's Africa policy amounts, wittingly or not, to attempting to export its own transitional conflict-resolution model. Indeed, South Africa's championing of the objectives and principles of the African Union incorporate a commitment to "promote democratic principles and institutions, popular participation and good governance."⁶ This raises in turn general questions about the efficacy of external mediation in an environment especially where there is an absence of the sort of political culture and a willingness to accept fundamental, deep-seated compromise of the sort that made the South African transition possible.

The South African government's policy has steadfastly been to avoid confrontation with Harare over this matter, instead preferring to attempt to facilitate contact between the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the opposition Movement for Democratic Change (MDC). In so doing, Pretoria's caution has contrasted with the profile of President Mbeki's expansionist African vision and commitments. When not quiet, Pretoria's diplomacy has generally included expressions of support for ZANU and criticism of the MDC with occasional mild rebuke of aspects of Mugabe's policies.⁷

Whatever the apparent inconsistencies and contradictions between lofty principles and policy practice, according to one senior SA Department of Foreign Affairs official, "We believe that from our South African background that negotiations are the way to go. To get the Zimbabweans to do this, we believe that we have to engage Zimbabwe, to talk to them and to gain their confidence. Sanctions won't remove the Zimbabwe government, and will not bring about a solution but rather havoc. Thus we looked at other options [to quiet diplomacy], but dismissed them."⁸

Indeed, at the time of President Bush's African trip in July 2003, Mbeki said that the principal responsibility for the resolution of those challenges lay with the Zimbabweans themselves, noting "It is very important that they should move forward with urgency to find resolutions to these questions."⁹ Since the Zimbabwean presidential election in March 2002, this has involved a series of meetings with MDC and ZANU-PF representatives. Pretoria hopes that these will be resumed *en force* following the March 2005 election.

Until now such talks have apparently had little discernable impact on the willingness of Mugabe to reign in his rhetoric or latterly to act according to the spirit and letter of the August 2004 SADC protocol on 'Principles and Guidelines Governing Democratic Elections'. In contrast, the impact of continued political impasse on Zimbabwe has been marked. There has been an overall worsening of the political and economic environment inside Zimbabwe over the past five years.

Politically, any concessions that President Mugabe has made in the direction of free and fair elections were, in the MDC's and much of civil society's view, overshadowed by the tightening of laws governing the electoral process, the role of civil society and the media. While the election appeared free-and-fair, the run-up to the event was in the opposition's view wholly skewed in the incumbent's favor and, given Harare's refusal to admit foreign journalist and monitors, obscured from external scrutiny.

The attempts at facilitation have also not relieved the economic crisis, even though South Africa has, since 2000, supplied its northern neighbor with credits for food, fuel and electricity all of which have been in short supply in Zimbabwe. For Mugabe's political crisis has created an economic one in which his country's precipitous and ongoing economic decline has affected mainly the poor. Inflation remains very high, at around 125%, though down from the peak of around 620%. Exports in 2004 were US\$1.7 billion, around one-third of what they were in 1997. GDP is little over half the 1997 figure of US\$6.5 billion, mainly as a result of the government's fast track land reform programme. The formal sector job market has shrunk over this period from about 1.4 million jobs to around 800,000 today. Horticulture and tobacco exports are now around half and 35% of their peak output respectively. Even more seriously, wheat, maize, milk, and soya production are all dramatically reduced, with the result that Zimbabwe has to rely on imports for these staple foodstuffs, pushing the price up to unaffordable levels for many in a population where 30%+ of adults are HIV+. Importantly, the whole economic system is fraught with structural imbalances, with a negative interest rate discouraging saving (which ex-

⁶The constitutive act of the African Union at <http://www.africa-union.org/home/Welcome.htm>.

⁷Laurie Nathan, 'Consistency and inconsistencies in South African foreign policy', *International Affairs*, 81, 2, 2005, p.367.

⁸Telephonic discussion with Kingsley Mamabolo, Deputy Director-General (Africa), SA Department of Foreign Affairs, 16 April 2005.

⁹At http://www.southafrica.info/doing_business/sa_trade/agreements/bush-savisit.htm.

plains, too, why the Zimbabwe Stock Exchange is one of the best performing in Africa), with industry kept 'drip-fed' on scarce foreign exchange. The rising (and unserviced) domestic (US\$1.1 billion) and foreign (around US\$3 billion) debt stock has demonstrated the need for the government to go continuously into the market to borrow and print notes to prevent collapse.

In spite of this crisis, the regime in Harare persists partly because it has been able to continue to distribute largesse to key political constituents, partly due to the grip maintained on the opposition and civil society by the security services including the youth brigades, partly due to the powerlessness of MDC tactics and leadership, and partly due to political support for Harare from sectors inside and outside of Zimbabwe who are prepared to overlook ZANU-PF's misrule precisely because they approve of Mugabe taking on Western powers apparently fearlessly.

Although Pretoria has frequently asserted that it is working productively with both parties, MDC frustration over the South African position has boiled over on several occasions most notably following the Bush visit when MDC president Morgan Tsvangirai accused President Mbeki of making "false and mischievous" statements on political talks. Tsvangirai said that no talks were taking place and that Mbeki's statement to President Bush that a dialogue had begun was "without foundation whatsoever". Tsvangirai said: "Statements claiming there is dialogue going on are patently false and mischievous. Such statements are manifestly partisan." He said claims about talks between Zimbabwe President Robert Mugabe's party and the opposition were aimed at "buying time" for Mugabe.¹⁰

Whereas Tsvangirai has subsequently publicly supported Pretoria's mediation role,¹¹ others in his party have been less diplomatic in their observations. For example, MDC spokesman Eddie Cross has argued:¹²

It is now very apparent to anyone with half a brain that all is not well in South Africa when it comes to handling the Zimbabwe crisis. Here we have a situation where by every measure, the ZANU-PF led government has failed—the economy is in tatters, half our population needs food aid, the quality of life for the majority has deteriorated to the point where nearly half the adult population has decamped. Almost all basic human and political rights are being abused and worse on a daily basis. And the regime has lost its legitimacy because of a well-known and clearly exposed record of electoral fraud and abuse. Yet, the leadership in South Africa and many of its apologists insist on maintaining the position that things are "improving" and that a "free and fair election" is still possible. It's not out of ignorance. It's not because they simply want to be perverse. What then is the reason—the real reason for this ridiculous stance?

Cross has argued that Pretoria's policy towards Zimbabwe is based on a fear of encouraging a split in the South Africa's ruling tripartite alliance made up of the African National Congress (ANC)—SA Communist Party (SACP)—Congress of South African Trade Unions (COSATU) especially given the origins of the MDC in the Zimbabwean trade union movement.

The South African government maintains that its policies have been relatively successful in the circumstances when viewed objectively against Zimbabwe's needs and, in Pretoria's view, in the absence of alternatives. For example, most recently, President Mbeki said in the South African parliament on 14 April 2005 that although the jury was still out on whether Zimbabwe's parliamentary poll was free and fair, South Africa's policy towards its neighbor would remain unchanged. "We have", he said, "insisted for some time that the solution lies in the hands of Zimbabweans and we will persist with that position."¹³

Other prominent South African government ministers have echoed this position. Deputy Foreign Minister Aziz Pahad has said¹⁴ that the "only option for South Africa is to create the conditions for both sides to move forward together, to allow Zimbabweans to help themselves". South African policy, he said, had been focused on "getting the sides together to agree on the constitution and to co-operate on dealing with the economic crisis". He observed that "We would not do it differently [if we had to do it over again]. What have other powers done that is different [to SA]? How did they [the United States and Europe] want us to get tougher, we are not for regime change in Zimbabwe? Africa would not allow this. We are battling against forces that have taken decisions about having *regime change* in Zimbabwe.

¹⁰ At http://www.news24.com/News24/Archive/0,6119,2-1659_1385106,00.html.

¹¹ See, for example, <http://allafrica.com/stories/200305050378.html>.

¹² See his email circular labeled 'The Mystery of South Africa's Position' dated 19 March 2005.

¹³ 'Mbeki says Zimbabwe policy stays', *Business Day*, 15 April 2005.

¹⁴ Telephonic discussion, 15 April 2005.

And we are not for the so-called Milosevic option either". South African policy, he contended, "had successfully prevented civil war in Zimbabwe."

South African policy choice of 'constructive engagement'—described somewhat pejoratively as 'quiet diplomacy'—reflects thus a combination of its own political traditions and stress on compromise and negotiation, the history of race and colonialism in the region and the resonance of these factors including around land distribution domestically, and a belief that the alternatives including criticism of Mugabe will only marginalize the role to be played by external powers. This may explain why President Mbeki has endorsed the efforts of the Zimbabwean government in dealing with the colonial inheritance of inequitable racial land redistribution, while at the same time arguing that his critics are wrong if they believe that Zimbabwe's leaders will simply obey what he tells them.¹⁵

Pretoria is today centered on one major short-term goal: To acquire the support of both parties (rather than Mugabe employing his now two-thirds majority) to change the "flawed" constitution and "get rid of certain legislation such as the POSA" (Public Order and Security Act). The tactic to achieve this consensus is through facilitating talks between the MDC and ZANU–PF. In this Pretoria would prefer to see "the United States and everybody putting pressure on and ensuring dialogue, engaging with the MDC and ZANU and not playing to the gallery."¹⁶

Future Zimbabwean Scenarios and Policy Options

ZANU–PF now, post-March 2005 election, appears to hold most of the cards. It would, in the opinion of a number of experts, probably have won the election without its pre-election shenanigans and gerrymandering, although probably without the two-thirds majority it now holds. This margin is crucial to allow ZANU–PF to alter the constitution, a long-time Mugabe goal around which the opposition galvanised itself for the February 2000 referendum.

Despite Mugabe now holding the political cards, his aim appears to be to create a façade of stability and consensus within parliament and with the MDC, while increasing his discretionary powers and cementing his rule through constitutional means. He would hope, in so doing, for greater international acceptance and possible economic recovery through donor support including the IMF and through Harare's burgeoning Chinese interests.

Thus to a limited extent only the future depends on whether the MDC is prepared to play along.

The opposition has two options at this stage. First, to play the 'obstructionist parliamentarian', not unlike the old South African Progressive Party, fighting for its cause from inside parliament. Even though this may find favour with those MDC members concerned about their livelihood in the parliamentary gravy-train, this type of role will likely simply serve to grant a stamp of approval to Mugabe, the election process and ZANU–PF's rule.

A second MDC option is not to enter parliament and publicly contest the election result, using party structures and its union base to mobilise mass protests—the 'Ukrainian option'. This route would certainly demonstrate the MDC's sentiment on the election process and result, and display mettle comparable to that of ZANU's. But the MDC has hitherto shown little capacity or stomach for this type of action, and it is uncertain whether Tsvangirai can make this large leap up to the plate of mass insurrection.

A number of policy alternatives arise in the light of the above assessment.

Some Policy Suggestions

These options have to be cognizant of the *unlikelihood of the South African government abandoning its current policy approach*. Pretoria will likely continue with sporadic attempts continuing to bring the parties together but probably with only rhetorical and peripheral success given Mugabe's and ZANU's obduracy.

In the circumstances, the US and other (mainly Western) partners have five options to get out of the current policy rut:

- *Continue and ratchet up the current sanctions regime*, widening the list of individuals coming under targeted sanctions. *Likely impact*: This will undoubtedly both alienate and irritate both the Zimbabwean government (which craves international attention and acceptance) and its African partners including South Africa. It is likely to have little impact on the polity of Zimbabwe, however, given ZANU has displayed a willingness to allow the country to implode economically to ensure it stays in power. It has also open-

¹⁵ See Thabo Mbeki, 'The people of Zimbabwe must decide their own future', Letter from the President, *ANC Today*, 3, 18, 9–15 May 2003.

¹⁶ Mamabolo, *op cit*.

ly, wherever it can, flouted sanctions—Mugabe’s trip to the Pope’s funeral being the latest example—raising questions about enforcement. There is little doubt that targeted sanctions hurt key figures in a regime craving international acceptance, but even if they remain in place to maintain pressure, other forms of engagement should occur in parallel.

- *Link progress and assistance for wider African initiatives* including support for NEPAD to a change in African and specifically South African policy. *Likely impact:* This will be widely rejected by Africa as akin to throwing out the baby with the bathwater, and may only serve to add credence to Mugabe’s portrayal of the crisis as having colonial/neo-colonial roots. It may make it more difficult for Mbeki and others to apply pressure on ZANU–PF, both for the aforementioned reason and given the resonance that Mugabe’s argument would have within their own domestic constituencies.
- *Target and increase overt support for the pro-democracy movement and individuals* within Zimbabwe. This could occur along similar lines to the support offered to the South African liberation movements during apartheid, including financial support for legal costs, institutional support of key organizations such as the National Constitutional Assembly, and fellowships and scholarships. *Likely impact:* Given that short-term change will come from within ZANU, this is at best a long-term strategy for capacity- and institution-building. It will also serve to focus Zimbabwean government attention and ire on these individuals. It also feeds into Mugabe’s rhetoric about the MDC being a creation of Tony Blair. Over the longer term, such civil society-oriented assistance will, however, be the platform making democracy possible.
- *Do nothing more*—or the ‘leave things as they are’ alternative, maintaining the existing US/EU sanctions regime in place. *Likely impact:* As unpalatable as this may be from a (Western) domestic political and human rights perspective, in the longer-term leaving Zimbabwe to its own political and economic devices may permit the situation to ripen, reaching a ‘tipping point’ leading to radical political change. However, this could result in unacceptable, widespread humanitarian catastrophe in the immediate-term.
- *Strategic engagement* with key individuals and countries to urge reform in Zimbabwe. This could occur both through the African Union and other multilateral bodies such as the International Monetary Fund, and with bilateral US partners such as Botswana, Nigeria, Ghana, Mozambique, and Uganda. South Africa and key members of the African National Congress could be brought on board for this option and would welcome a change of approach from Washington—and it would be critical to the success of ‘Strategic Engagement’ to do so. Such a strategy would critically have to involve engaging with reformist elements in ZANU–PF factions along with influential individuals both inside Zimbabwe and within the diaspora. This will crucially have to involve *placing on the table an attractive recovery package for Zimbabwe including on land* but conditional on political reform. It may also have to include engineering an exit strategy for Mugabe and his close associates, including immunity from prosecution. All this may usefully involve the *appointment of a US Special Envoy to Zimbabwe*. *Likely impact:* This demands a level of sophistication and knowledge of Zimbabwe in Western policy hitherto invisible, but it *may be the best and least disruptive means of ensuring political change and economic and social stability in Zimbabwe in the short-term*. The absence of Western engagement on Zimbabwe will not only complicate the search for wider solutions to African development issues, but may also lead to an increasingly ‘eastwards’ (i.e. Chinese orientation) in select African foreign policies.

In contemplating the way forward for Western policy towards Zimbabwe, four issues are critical: *First*, to *abandon any use of the terminology of regime change*, suggesting *instead change within the regime*. *Second*, related to this point, in the absence of a more strategic approach being adopted by the MDC, change in Zimbabwe is most likely to come from within ZANU–PF. Thus the aim should be to *cultivate relationships within ZANU*, not necessarily just from the ranks of the incumbent politicians, in so doing identifying factions and encouraging reformists. *Third*, the West must plan on the basis that the situation in Zimbabwe cannot wait to be resolved by Mugabe’s death. Nor can the international community wait until his death to lay the basis of transition. As Togo shows currently, a vacuum can result in chaos. *Fourth*, to *ask Zimbabweans what they want*.

Mr. TANCREDO [presiding]. I am in a bit of a quandary whether to proceed. I think perhaps because the next bell will indicate that the following vote will only be 5 minutes thereafter, I will probably recess the Committee now. We have four more votes and then it will go to final passage. So I am going to guess it is going to be 25 minutes to ½ hour. I am sorry, but you know the situation here. So we will hold the Committee in recess.

[Recess.]

Mr. SMITH [presiding]. I would like to ask Mr. Krilla to start his testimony.

**STATEMENT OF MR. JEFFREY KRILLA, AFRICA PROGRAM
DIRECTOR, INTERNATIONAL REPUBLICAN INSTITUTE**

Mr. KRILLA. Thank you for inviting me to testify today. Before I begin summarizing my remarks, I request that my statement be submitted into the record in its entirety.

Mr. SMITH. Without objection, it will be entered in its entirety.

Mr. KRILLA. Today's hearing on Zimbabwe is particularly timely and gives us an opportunity to discuss the challenges facing that country as well as the challenges facing the United States Government in addressing Zimbabwe's prospects for democracy. I serve as Director of the Africa division at the International Republican Institute, a nonpartisan organization which operates democracy and governance programs in more than 60 countries around the world, including a dozen in Africa. All too often, Americans pay attention to Africa only when the headlines tell of violence and atrocity. The fact that Zimbabwe is not making these sorts of headlines does not give us an excuse for inaction. I commend the Subcommittee for understanding the importance of the situation and calling this hearing. Zimbabwe's recent election highlights just how far that country is from being a free and open multi-party democracy. Having first visited Zimbabwe in 1991 and having been closely involved in the election cycles there for close to 15 years, I must acknowledge that the anti-democratic forces of Zimbabwe are continually growing more sophisticated.

Government measures prior to the election ensured the absence of a level playing field. A number of laws limit public meetings and gatherings and bar independent media and access to State media. With disturbing memories of violence serving as a constant backdrop, nonviolent forms of intimidation are increasingly effective. This election's apparent decrease in physical intimidation is a preconceived tactic by the Government of Zimbabwe to create a facade of legitimate elections. Throughout the campaign and drought, the Government of Zimbabwe has used as a political tool the very food crisis whose existence it denies, by withholding food aid in granting allotments only after seeing ruling party membership cards.

Voter disenfranchisement is another major component discrediting Zimbabwe's recent elections. Over 100,000 Zimbabwean voters were turned away at the polls on election day. Furthermore, vast numerical discrepancies between the initial vote totals and the final reports show the Zimbabwe Electoral Commission halted the public announcement of the results and bought the Government time to reverse those results. We have seen how quiet diplomacy handles these developments and the odds of Zimbabwe democra-

tizing through quiet diplomacy are not good. Like Togo, Liberia and Cote d'Ivoire, Zimbabwe would benefit from megaphone diplomacy, diplomacy that does not allow Mugabe free rein to run elections violating the South African Development Community's own protocol and similar international standards. IRI has worked in countries like Ukraine, Iraq and Indonesia where we support good governance by educating people, parties, NGOs and governments on the values and practices of democracy.

IRI has tried to do that in Zimbabwe by working from afar. But the greatest work has been done by Zimbabweans themselves. Despite the laws limiting meetings and publicity, the opposition party, Movement for Democratic Change (MDC) has not only survived but grown, building a grassroots movement capable of bringing tens of thousands to its rallies and of forcing the Zimbabwean Government to recognize it as a significant political player on the landscape of Zimbabwe. I hope in light of MDC's undeniable credibility, Robert Mugabe will think of his own legacy and begin to take pause.

In the early 1980s, Zimbabwe was an African breadbasket, a model of agricultural development. Today Zimbabwe has descended into year after year of food crises. Its economy is wrecked. Millions depend on handouts and inflation accelerates at a disastrous pace. Some observers have asked why Zimbabwe has not given us a popular revolution reminiscent of Ukraine. But the political and economic environment in Zimbabwe is completely different than Ukraine, which saw over a decade of sustained programming from IRI, NDI Freedom House, and other organizations promoting democratic growth from the grassroots to the highest levels of power. The people of Zimbabwe have faced a total information blackout and for years have suffered widespread intimidation and violence, including reprisals in areas where opposition support is high. The mere sustenance of democratic forces in that country has been a victory that can be extended through continued support from the United States. Without it, the ability of Zimbabwe's activists to fight for democracy will wither.

The country's economic problems have given rise to refugees departing for South Africa. Workers from Malawi and Mozambique once in demand in Zimbabwe now have to look elsewhere. Zimbabwe, once an anchor for regional food security, is now a drain on regional resources. It hurts efforts by regional organizations like the AU and SADC to strengthen regional democratic governance and economic development.

A few brief words about how the U.S. Government should proceed from here: Number one, encourage our friends in southern Africa to be honest about the situation in Zimbabwe and to pressure Mugabe's Government to adhere to protocols. Number two, work with regional organizations like SADC and NEPAD, the New Partnership for Africa's Development, to strengthen their own systems of peer review to find a genuinely African solution to Zimbabwe's difficulties.

And three, ramp up U.S. Government support for democracy building programs to encourage the growth of political change in Zimbabwe. Secretary of State Condoleezza Rice was right to call Zimbabwe an outpost of tyranny. And President Bush himself has

repeated the sentiment in recent remarks. We hope that Congress will heed these words and give full support to increasing democracy programming in Zimbabwe.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Krilla follows:]

PREPARED STATEMENT OF MR. JEFFREY KRILLA, AFRICA PROGRAM DIRECTOR,
INTERNATIONAL REPUBLICAN INSTITUTE

Thank you, Mr. Chairman, for inviting me to testify today. I request that my statement be submitted into the record in its entirety.

Today's hearings on Zimbabwe are particularly timely, and give us a valuable opportunity to discuss the challenges facing that country in the weeks and months following the recent elections. I would like to discuss the challenges facing the United States in its support for the growth of democratic institutions in Zimbabwe. My remarks will focus on the remarkable series of abuses and repressive measures President Robert Mugabe and his ruling ZANU-PF have initiated in recent years, the considerable progress made by Zimbabwe's opposition despite these abuses, and on the positive potential impact of increased United States support for a democratic future for Zimbabwe.

Zimbabwe's recent elections highlight how far that country is from being a free and open multi-party democracy. While the weeks and months leading up to the election were marked by less violence and flagrant abuse than in previous elections in Zimbabwe, we cannot be lulled into the belief that the relative calm indicates strides toward free and fair elections, or a truly open political space. There are reports that the Zimbabwe Election Commission engaged in systematic voting fraud on a massive scale. And in the weeks since the election, groups and individuals who did take advantage of the seemingly normalized campaign and voting conditions prior to March 31 have already suffered reprisals. Now that credentialed media observers have been required to leave the country, their visas expired, the beatings and arrests are now returning to Zimbabwe, as are the spiraling consumer costs and increased inflation—ingredients in a recipe for a large-scale humanitarian crisis.

With or without election-day fraud itself, government measures prior to the election ensured the absence of a level playing field, and all but assured a ruling-party victory. A number of laws, including the notoriously repressive Public Order and Security Act, which limits public meetings and gatherings, and the Access to Information and Protection of Privacy Act (AIPPA), which bars independent media and access to state media, guaranteed that a fair election process could not occur. AIPPA provided for the formation of the Media and Information Commission, which is responsible for shutting down independent media groups, and registering and deporting journalists. The new electoral act then sanctioned implementation of a five-person electoral commission, each member chosen by President Mugabe. The electoral act also allowed for state-controlled voter education, military and civil servants acting as domestic observers, and an electoral system vesting power in the Electoral Supervisory Commission—a commission whose greatest achievement was ironically last year's abysmal voter registration drive.

Having first visited Zimbabwe in 1991 and having been closely involved in the election cycles there for close to fifteen years, I must acknowledge that the anti-democratic forces of Zimbabwe are continually growing more sophisticated. With memories of violence serving as a constant back-drop, non-violent forms of intimidation are increasingly effective. This election's apparent decrease in physical intimidation should not be taken as an opening of political space, but rather a pre-conceived tactic by the government of Zimbabwe to create a façade of legitimate elections.

I will highlight a few of the blatant examples of intimidation and irregularities, covered in the press and related by my colleagues who directly witnessed the run-up and Election Day. Throughout the campaign season and concomitant drought, the government of Zimbabwe has used as a political tool the very food crisis whose existence it repeatedly denies—withholding food aid, controlling access to seeds and other agricultural inputs, and granting maize allotments only after seeing ruling party membership cards. One ZANU-PF parliament candidate who shall remain nameless told a rally that those who voted the right way would have plenty to eat after the election. A starving population seriously detracts from hopes for a free and fair national election.

Voter disenfranchisement is another major component in discrediting Zimbabwe's recent elections. It is a matter of public record that more than 100,000 Zimbabwean voters were turned away at the polls on Election Day, despite valid registration.

Furthermore, vast numerical discrepancies between the initial vote totals and the final reports more than suggest that the Zimbabwe Electoral Commission halted the public announcement of results and bought the government time to convincingly reverse results that did not meet hoped-for outcomes. To give but one example, the Zimbabwe Election Commission initially announced that 14,812 votes had been cast in Manyame province, with more than 8,300 votes going to the opposition Movement for Democratic Change (MDC) party. The government later announced that 24,303 votes had been cast in Manyame, a difference of nearly 9,500 votes, with ZANU-PF the declared winner.

Equally importantly, the government of Zimbabwe is trying to limit the capabilities of domestic organizations trying to promote human rights and democracy by depriving them of foreign contributions. It is not a violation of sovereignty to accept such support, which is allowed and even welcomed elsewhere, from the Republic of South Africa to Kenya and Nigeria. The United States and other foreign countries and entities have assisted Zimbabwean organizations that deal with HIV/AIDS education, agricultural development, parliamentary strengthening and other sectors with the full knowledge and endorsement of the Zimbabwean government. Non-governmental organizations (NGOs) that educate the public in human rights and democracy provide services to the people of Zimbabwe, just like their colleagues providing HIV/AIDS education. If the government of Zimbabwe limits organizations that promote human rights and democracy, then it is harming future funding for programs for HIV/AIDS, drought relief, foreign investment, and countless other efforts to improve the standard of living for all Zimbabweans.

Needless to say, conditions in Zimbabwe do not permit the International Republican Institute (IRI) nor any of our partners to work in Zimbabwe, as we have done in other countries throughout Africa. We have operated within very restricted environments, including a South Africa in transition from apartheid, the post-war states of Angola and Liberia, and a profoundly challenged Sudan, where we largely conduct trainings outside of the country. Late in 2004, the government of Zimbabwe passed legislation banning foreign funding for NGOs, which makes any IRI mission not only difficult, and to the surprise of many but illegal. Despite these obstacles to democratic support systems in Zimbabwe, and to the surprise of many non-Africanists, our U.S. Embassy and U.S. Agency for International Development (USAID) Mission in Harare, Zimbabwe remain open. Despite the ban on foreign assistance to domestic NGOs and years of methodical pressure by the Zimbabwean government, democratic hopes persist and the U.S. is dogged—for good reason. With an infusion of U.S. government support, Zimbabwe's prospects for being removed from the world's list of 'Outposts of Tyranny' are good—arguably better than the other dictatorships on Secretary of State Rice's now-famous list.

The fact is that if IRI, the National Democratic Institute (NDI), and the U.S. government, along with the United Nations and our African counterparts such as the South African Development Community (SADC) and the African Union, fail to devote ample resources in support of democratic forces in Zimbabwe, then prospects are bad. Present deplorable conditions on the ground would likely worsen as the regime is able to freely enact constitutional changes to enshrine not only President Mugabe, but generations of his successors. Support from neighbors, however, when bolstered by U.S. government involvement, would significantly strengthen Zimbabwe's democratic prospects. We have seen the effects of quiet diplomacy over the past few years, and most recently during these elections and the likelihood for Zimbabwe democratizing under the guidance of quiet diplomacy are not good. Like Togo, Liberia, and Côte d'Ivoire, Zimbabwe should benefit from megaphone diplomacy—diplomacy that does not allow fellow African leaders free reign in managing elections that fly in the face of the SADC's own Mauritius Protocol and similar international standards.

During the past 10 years, IRI has assisted democratic forces to strengthen their institutions and capacity. Our goal in Zimbabwe, like our goal in Ukraine, Iraq, Indonesia, and the many other IRI program countries, is to support growth of political and economic freedom, good governance and human rights by educating people, parties, non-governmental organizations, and governments on the values and practices of democracy. IRI has tried to do just that in Zimbabwe by working from afar. But the greatest work has been done by Zimbabweans themselves. For all IRI and other organizations like it do, it is the people of Zimbabwe and those courageous enough to challenge the anti-democratic forces who need to be supported. In many ways, they are dependent upon support from the United States, the United Nations, the African Union, and others to continue the struggle for democracy in Zimbabwe.

This struggle is not a dying dream. As much as Zimbabwe has slid back, it has also made many advances. We should not take the disheartening outcome of the recent elections as an excuse to give up, but as an indication that it is now time to

ramp up American support for democratic institutions in Zimbabwe. The MDC, is seen as a credible and viable political party in Zimbabwe, even by President Mugabe. The MDC has successfully participated in two parliamentary elections and a presidential election, despite tremendous pressure. Despite the laws limiting meetings and publicity, the MDC has not only survived, but grown, building a grassroots movement capable of bringing tens of thousands to its rallies and forcing the Zimbabwean government to recognize it as a significant political player on the landscape of Zimbabwe. The MDC campaigned in more places than ever before, and it is clear that the party enjoys public support. It is highly regarded by regional powers. In fact, after MDC leader Morgan Tsvangirai was acquitted of treason charges in October 2004, he met with the leaders of South Africa, Mauritius, Botswana, Nigeria, and Ghana, to name only a few.

Despite this growing international recognition, Zimbabwe's neighbors have not done all that they could. While South Africa's African National Congress party was surprisingly critical of Mugabe's government in mid-January, initially bringing meaningful pressure to bear on Zimbabwe, outcry has dissipated in recent months. While a spokeswoman for SADC admitted that "The results that the candidates themselves signed at the polling stations were not the same as the results announced on national television," South African President Thabo Mbeki called Zimbabwe's elections "free and fair," even before the election occurred. The SADC team declared the election "peaceful, credible and dignified." These inconsistencies are troubling, and those relying on observer reports are left to wonder whether the will of the Zimbabwean people played into the election at all.

While I hope influential neighbors, including South Africa, will speak out against the recurring travesty of rigged elections, I hope, too, that Robert Mugabe will think of his own legacy and begin to take pause.

His rule over Zimbabwe, first as prime minister, and now as president, has been a period of innumerable missed opportunities. Mugabe himself spent a decade in prison, and years at the head of an armed rebel movement, touted as one of Africa's liberating sons. But now, at the end of his life, will he be remembered for these early triumphs? In the early 1980s, Zimbabwe was an African bread-basket, a model of agricultural development. Today, Zimbabwe has descended into year after year of food crisis. Its economy is wrecked, and its farms are abandoned. Millions depend on handouts, and inflation accelerates at a disastrous pace. Prices have continued to sky-rocket even in the short time since the elections, and fuel shortages have grown even worse as well. All of Zimbabwe's tremendous potential has been jeopardized, but could be salvaged if Mugabe and the ruling party were to allow legitimate elections to take place and implement substantive democratic reforms.

In light of Zimbabwe's potential, the need for a clear U.S. government policy and plan for Zimbabwe is evident. The recent renewal of the U.S. travel ban on Mugabe and other high-ranking officials from Zimbabwe sends a clear message of disapproval of the games being played by Zimbabwe's leadership—but it does little to help the people at the grassroots, clamoring to be heard. While President Mugabe may vacation in Malaysia and even have a seat at Pope John Paul II's funeral in Vatican City, his people continue to suffer. Only sustained and high-level U.S. government support for the growth of democratic institutions in Zimbabwe will be effective in the long run.

Some hopeful observers have asked why Zimbabwe has not given us a popular revolution reminiscent of democracy's recent victory in the Ukraine. This is a false analogy that prevents us from seeing the successes that have occurred. The political environment in Zimbabwe is completely different than the Ukraine, which allowed for much more political space, and saw more than a decade of sustained programming by IRI, NDI, IFES, Freedom House, and numerous other organizations promoting democratic growth from the grassroots to the highest levels of power. The people of Zimbabwe are much poorer. They are hungry and beleaguered; they have faced a total information blackout, and for years have suffered widespread intimidation and violence, including reprisals in areas where opposition support is high. But civil society organizations promoting democratic values have survived in spite of the obstacles.

Clearly, Zimbabwe is not yet ready for a Ukrainian-style popular revolution. But the mere sustenance of democratic forces in that country has been a victory, a victory that can be extended through continued support from the international community led by the African Union, the United States, and the United Nations. Without it, the ability of Zimbabwe's valiant activists to continue their fight for democracy will wither.

All too often, Americans pay attention to Africa only when the headlines tell of violence and atrocity. Sudan, Côte d'Ivoire, and Liberia have all garnered this sort of negative publicity in recent months. In the case of the Sudan in particular, the

United States has led the way, pledging crucial sums of aid to assist in that country's reconciliation between the north and the south. The fact that Zimbabwe is not currently making the same sort of headlines does not give us an excuse for inaction.

We need only look at other regional examples, such as the Democratic Republic of the Congo, to realize how vital it is that Zimbabwe's situation not grow worse. The country's economic problems have given rise to refugees departing for South Africa; workers from Malawi and Mozambique, once in demand in Zimbabwe, now have to look elsewhere. Zimbabwe, once an anchor for regional food security, is now a drain on regional resources. Zimbabwe's status as a pariah state undermines regional stability. It hurts efforts by regional organizations like the African Union and the SADC to strengthen regional democratic governance and economic development.

A few brief words in summary about how the U.S. government should proceed from here.

- 1) Encourage our friends in southern Africa to be honest about the situation in Zimbabwe and to pressure Mugabe's government to adhere to SADC election protocols in the future.
- 2) Work with regional organizations like SADC and the New Partnership for Africa's Development (NEPAD), to strengthen their own systems of peer review, to find a genuinely African solution to Zimbabwe's difficulties.
- 3) Ramp up our support for NGOs and civil society organizations to encourage growth of a democratic culture in Zimbabwe.

Continued and increasing levels of U.S. government support for democracy-building programs is the best way to open political space in Zimbabwe, to stave off a growing strategic threat, and to ensure that the prospects for democracy in Zimbabwe get better, not worse.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much for your excellent testimony and for the great work you are doing and have been doing for so long. Having known you for so long, it is a pleasure to see you before the Committee. Ms. Bryan.

**STATEMENT OF MS. SHARI BRYAN, REGIONAL DIRECTOR,
SOUTHERN AND EAST AFRICA PROGRAM, NATIONAL DEMOCRATIC INSTITUTE**

Ms. BRYAN. Thank you very much, Mr. Chairman and to the other Members of the Subcommittee. I am pleased to have this opportunity, and I want you to know how important those of us who work in Africa think this hearing is because there is far too little attention being paid to this country right now and the people of Zimbabwe who have been disappointed by their own neighborhood. The actions that are taken here by this Committee, and particularly by the staff who have been very active in visiting Zimbabwe for the last couple of years, is significant.

I am just going to make a few points, because I think you have heard the same thing over and over again and the nice thing is, we are on the same page when it comes to Zimbabwe. I was there during the week of the elections and was able to see firsthand what was happening. And while it was a peaceful election, it was not a fair or a legitimate election. It goes without saying. There are some impressions that I took from the week there that I think are worth sharing. Part of this calm and peacefulness was interesting because it allowed the opposition to campaign in a way that it had not been able to before.

And what was interesting about that is people really came out to see them. And I went to a couple of big opposition rallies and saw a couple of ruling party rallies on television. But there were 40- to 50,000 people at stadiums. They wanted to hear what was going on. And the other striking difference I thought, or an inter-

esting aspect, was that the MDC actually had very concrete platforms that they talked about at these rallies. They talked about health care and education and HIV/AIDS and land reform. And at the ruling party rallies, all you heard was a lot of rhetoric about Prime Minister Blair and the British and colonialism.

So there are very stark differences in what the parties were offering as alternatives. As you know, the international press was allowed in at the last minute. And I think this was very deliberate, this peaceful aura, the presence of the international media as a way of Mugabe very much wanting to show to the world that this was a free and fair and peaceful election.

It was all very much manipulated and thought through very carefully well in advance. But the election itself was set up in a way that there was no way the MDC could have won. You have heard some of these things already. There was an out-of-date registry with over a million names that were probably fictitious. Constituencies were gerrymandered. Polling places were reduced in MDC territory and increased in ZANU territory. Three million people who had moved outside of Zimbabwe were not able to vote. And this threat of withholding food and land was, of course, very dangerous. While the international media was there, there is no local media, no independent local media anymore. And then there was, I think most importantly, this lack of international, credible international monitors. Of course, no one from the West was allowed. But even the southern African delegation such as the SADC Parliamentary Forum—which is a very credible organization with high election standards—was not invited in this year because they had been critical 2 years ago. And I think the message that sends to Democrats in southern Africa is just devastating, really dividing the region between those southern Africans, for instance, who want to uphold international standards and regional standards and those who don't.

Just on election day, it was peaceful and quiet and we drove around and we think there are very few problems in terms of the way the election was administered. It was really in the way the vote was tabulated. And just of note, a group called the Zimbabwe Election Support Network fielded over 6,000 observers, and we have a copy of their statement which we would like to have entered into the record. Most of their observers had a hard time verifying the vote count. They were prevented by election authorities from observing the tabulation. And then everyone has alluded to this mysterious increase in the total number of votes that were announced 6 hours after the election and mysteriously 12 hours later, each constituency had another 20,000 votes and so on. And there has been no explanation at all.

I think both the Zimbabwe's election support network and the MDC believe that as many as 20 seats, maybe up to 40, could have gone in favor of the MDC had those tabulations been fair. There is no way to know. They will be litigated in court, but I don't think the court system will respond to those in a timely way. We have heard a lot about the regional response. It is disappointing and we need to do more to encourage the southern Africa region to uphold their own standards of elections. In terms of the prospects for the

future, I think it is grim. And unfortunately, this is not the time to abandon the people of Zimbabwe.

Some people testified about what happened this Monday when Zimbabwe celebrated their 25th anniversary of independence. And President Mugabe said we have no need for Western-style democracy or aid from the West because we are looking East. I would suggest that for the 11 million people that live in Zimbabwe, they don't agree with this. Those people are dying from AIDS and suffering from hunger. Those that have been politically silenced, I can tell you they don't share his view. The people of Zimbabwe believe in the universal principles of democracy, they have respect for the rule of law and desperately want to live in a country that is free from violence, oppression and hunger. I think now is the time to redouble our efforts and support the democratic process in Zimbabwe. The opposition party, and I would agree with my colleague, the MDC maintains broad support from citizens in Zimbabwe and they should be applauded for the job that they have done over the last several years.

They should be commended for agreeing to participate in these elections despite violence, harassment and intimidation that has been directed at them. They have participated bravely and they have organized peacefully to engage in the process, however flawed that might be. And I think that really deserves our recognition and support. After a decade of strategically supporting good governance in Africa and poverty reduction, we must be steadfast in our continued support to Zimbabwe, and we should continue to encourage adherence to international regional standards. And we need to use every financial and diplomatic resource to prevent the continent from losing yet another country to insecurity and poverty.

[The prepared statement of Ms. Bryan follows:]

PREPARED STATEMENT OF MS. SHARI BRYAN, REGIONAL DIRECTOR, SOUTHERN AND EAST AFRICA PROGRAM, NATIONAL DEMOCRATIC INSTITUTE

Mr. Chairman and members of the Subcommittee, on behalf of the National Democratic Institute, I am pleased to have the opportunity to speak about the recent parliamentary elections, and the prospects for the future of democracy in Zimbabwe. NDI has been working with political and civic leaders for over a decade to assist in their efforts to advance democracy throughout the Southern Africa region. I was present in Zimbabwe during the week of the elections, and was able to see first-hand the political events as they unfolded in the days prior to the polls. I appreciate this opportunity to share information related to these recent elections and to highlight some of the troubling indicators I see concerning the prospects for democracy in the country.

The March 2005 elections were yet another in a series of fatally flawed elections in Zimbabwe, and must be viewed in the context of three important issues: 1) the illegitimate parliamentary elections in 2000 and presidential election in 2002—both of which were fraught with violence and intimidation; 2) an economic and social crisis that is raging throughout the country; and 3) the weak regional response to the crisis and the impact it is having on democratic leaders and activists throughout southern Africa.

For the past five years, Zimbabwe has held three consecutive elections that have shared common themes: state-sponsored violence and intimidation directed toward opposition leaders and their followers; an unfair electoral framework and corrupt election administration; a biased judiciary that has failed to adhere to the rule of law; limitations on freedom of speech, assembly and the independent press; and severe restrictions on civic groups engaged in voter and civic education.

These elections were also held in the context of a country in a deteriorating state of economic and social crisis. Over the past five years, the standard of living for most Zimbabweans has fallen significantly, with 70 percent of the population now living under the poverty level. It is estimated that between two and three million

people have left the country as economic refugees over the last several years. Zimbabwe has one of the highest HIV/AIDS prevalence rates in the world, with 24.6 percent of all adults infected with the disease.¹ Fuel shortages are common, and electricity and water are routinely unavailable. Many humanitarian organizations fear that there will be food shortages affecting millions of rural citizens at any given time; and in January, the Famine Early Warning Systems Network, based in Johannesburg, estimated that as many as 5.8 million people (out of a population of 11.5 million) may starve if they do not receive food aid.²

This is a bleak picture for a country that was once known as the breadbasket of Africa, with one of the strongest economies on the continent, a highly educated population, a revered judicial system and a thriving free press. In the last few years, it has faced international condemnation by the West, but little criticism from neighboring countries which are forced to deal directly with the impact of the crisis on a daily basis. The Zimbabwe problem has become an African problem, and ownership for resolving the situation has been assumed by the political leadership in southern Africa. After five years of “quiet diplomacy,” however, these efforts have failed to hold Zimbabwe to the electoral and governance standards established and endorsed by the Southern African Development Community (SADC) and the New Economic Partnership for Africa (NEPAD).

The Pre-Election Period

What set the March 2005 elections apart from recent elections in Zimbabwe was that they were relatively peaceful. But they were in no way fair or legitimate.

In the two months leading up to the March polls, there was a significant change in the atmosphere in Zimbabwe. Seemingly out of nowhere, the opposition party, the Movement for Democratic Change (MDC), saw a new level of electoral tolerance that had not existed for years. MDC leaders and candidates were able to travel and campaign in a relatively calm, peaceful environment. There were markedly fewer incidents of police disrupting campaign rallies, and candidates were able to speak openly in areas that had long been considered “no-go” areas—rural constituencies that had been dominated and controlled by the ruling party and their armed party loyalists. However, candidates from the ruling party made frequent allusions to the past, reminding people that if they did not vote for ZANU–PF, there would be repercussions.

This is very different from the past five years, when government-sponsored youth gangs and war veterans attacked opposition supporters, beating them, destroying property and in some cases killing individuals who sympathized or campaigned for the opposition.

A few days before the elections I had a chance to attend two opposition rallies—one in Harare and one in Bulawayo—and I viewed several ZANU–PF rallies on state television. These rallies were remarkable on several levels. First, the turnout and participation of ordinary Zimbabweans was extremely high. A reported 40,000 people showed up to hear MDC leader, Morgan Tsvangirai, speak on the Sunday morning before the elections. An open soccer field was packed full of supporters who hung on his every word, and chanted the same slogan over and over again—“A new Zimbabwe, a new beginning”.

What was also remarkable was that this rally and other electoral activities held throughout the week were covered by scores of international media—from the *Washington Post* to the *New York Times*, *CNN*, and dozens of European reporters. With the exception of a few British-based media outlets, the government accredited dozens of print and television media—something that has not been allowed in Zimbabwe, as there has been a complete ban on foreign journalists for more than three years.

And lastly, what was striking about these events was the stark difference in the political message that was delivered at MDC rallies, as compared to the message carried at the ZANU–PF rallies that I watched on local television. The MDC candidates set out clear positions on public policy issues, ranging from economic reform, to land tenure, education, and health care. Morgan Tsvangirai spoke openly to the crowd in Harare about the HIV/AIDS crisis, the impact it was having on the Zimbabwean population, and the need for everyone to use condoms. Armed with statistics and facts, these MDC positions were in marked contrast to ZANU–PF speeches and political advertisements in the newspapers, which were based largely on anti-British and anti-colonial rhetoric. Little attention was paid to the daily concerns of Zimbabweans. Instead, the ruling party discussed the damaging role of the

¹ www.cdc.gov

² IRIN News, <http://www.irinnews.org/report.asp?ReportID=45312>, January 31, 2005.

colonial powers, with full page photos of Prime Minister Tony Blair—a message that still resonates with many Zimbabweans.

The relative calm and openness during the run-up to the election, however, masked a manipulated process that began long ago and which is consistent with the ongoing, illegitimate administration of elections that Zimbabwe has had in place for the past five years. In the days leading up to the elections, Zimbabweans commented that ZANU–PF was so convinced they would win a two-thirds majority, that “creating freer conditions on the eve of the election would not hurt.”³

What was at stake?

Zimbabwe’s parliament consists of 150 seats, of which 30 are appointed directly by the President. Of the 120 directly elected seats, the MDC had won 57 in the 2000 parliamentary elections, and many analysts believe they would have won an additional 37 seats, had their pending electoral complaints been adjudicated by the court system at any point over the last five years. Going into the March elections, it was clear that the ruling party desperately wanted a comfortable two-thirds majority in parliament, which would enable them to change the constitution at will. And the pre-election conditions almost certainly ensured a ruling party victory. A few of these conditions included:

- *An out-of-date voter registry*—The voters roll that was used for these elections was out of date and could not be verified before the elections, as the complete voter registry was never publicly released. Many Zimbabwean analysts believe that as many as two million names out of the 5.7 million listed, were either fictitious or dead.
- *Gerrymandered constituencies*—Since the last parliamentary elections, many of the urban seats held by the MDC have been abolished altogether and new constituencies developed in rural areas where people are more sympathetic to President Mugabe and his ZANU–PF party. In other cases, MDC-friendly constituencies were merged with rural ones, to slightly tilt the balance in favor of ZANU–PF.
- *Selective increase in the number of polling stations*—While the number of polling stations were reduced in MDC strongholds, making it more difficult for voters to get to the polls in a timely manner, there was an increase in the number of stations in the ZANU-friendly rural areas.
- *Domestic observers faced obstacles in accreditation*—Civic groups were prevented from registering their over 6,000 domestic monitors until just days before the election and were required to travel to either Bulawayo or Harare to receive their accreditation.
- *Exiled population was not able to participate in polls*—Up to three million people have left Zimbabwe over the last several years, primarily for economic reasons, and most are seen as sympathetic to the MDC. These potential voters had no access to the ballot and were not able to participate in this important process.
- *Land and food was used as a threat*—It was reliably reported that village chiefs and elders, who are responsible for allocating land, threatened rural voters with taking back their subsistence plots if they failed to vote for ZANU–PF. Other reports indicated that government officials responsible for handing out food aid threatened to withhold food if voters were suspected of voting for the MDC.
- *Lack of access to the media*—Although international journalists were allowed into the country on the eve of elections, they were accredited late in the process. Independent, local media remains non-existent in the country. The only credible independent newspaper, the *Daily News*, was forced to close in 2003 after years of harassment, bomb attacks on its offices, arrests and detention of reporters, and violence directed at its editor. Prior to the elections, the MDC was afforded a small amount of radio and television time on state-controlled stations, but it paled in comparison to the almost around-the-clock coverage of President Mugabe, ZANU candidates and ZANU rallies held around the country.
- *Lack of credible international monitors*—As in the last presidential election, election observers from the United States, the United Kingdom, the European Union and the Commonwealth were not invited or allowed in the country. Most disappointing in this years’ election was the blatant refusal to allow

³Reginald Matchaba-Hove, Chairman of the Zimbabwe Election Support Network.

credible, impartial observers from southern Africa such as the SADC Parliamentary Forum (SADC-PF), and a civic delegation organized by the Electoral Institute of Southern Africa (EISA), because they were viewed as potential critical voices of the election process.

Election Day

By all reports, election day was relatively peaceful and calm, with only isolated reports of violence, intimidation or voting irregularities. As results were tallied and announced, it became clear that ZANU-PF had won an overwhelming majority, taking 78 of the directly elected seats, as compared to 41 won by the MDC. Coupled with the 30 seats appointed by the president, these numbers provide the ruling party with the two-thirds majority necessary for constitutional amendments.

Yet, these results are highly suspect, and domestic observers, including the Zimbabwe Election Support Network (ZESN), which fielded over 6,000 observers nation-wide, point to the lack of transparency in a tabulation process indicating that large-scale fraud may have been employed to ensure a ruling party victory.⁴ The MDC asserts, in an April 12 report⁵, that ballot stuffing and tabulation irregularities could affect the results in at least 20 constituencies in their favor, giving the opposition party 61 seats to ZANU's 58, thus denying the ruling party of their two-thirds majority. Of particular concern were three issues:

- *Voters were turned away*—At least 130,000 voters, or 10 percent of all eligible voters, were turned away at the polls for a variety of reasons, including lack of identification or because their names did not appear on the list.
- *Domestic observers were prevented from observing the counting process*—After the polls closed, election authorities were required to count ballots under the eye of domestic observers and party poll watchers at each of the 8,000 polling stations and post the results for the public to view. These rules were not adhered to and many observers reported they were not permitted to view the counting of ballots. Some observers were locked inside polling stations while uniformed police communicated the voting results by telephone and radio. And in many polling stations results were never posted for public viewing.
- *Reported turnout mysteriously increased*—Hours after the polls closed, the government announced on state-controlled radio the total number of voters who voted, on a constituency by constituency basis. For example, in the electoral district of Manayme, the election authority announced that a total of 14,812 people had voted. The following day, however, the authorities announced that 9,000 additional votes were found in the Manayme district, giving the ZANU candidate a comfortable win, with over 15,000 votes. This puzzling pattern emerged in at least 19 other constituencies, and to date, the Zimbabwean electoral authorities have failed to explain these critical discrepancies.

These and other discrepancies are more fully described in two reports by the MDC and ZESN, which I submit for the record. Overall, both organizations estimate that together these questionable results could have potentially changed the outcome in over 20 constituencies.

The Regional Response

Delegations from South Africa, SADC and the African Union traveled to Zimbabwe to observe these elections, which had been much anticipated and debated throughout the region for several years. Representing countries that embody democratic standards in their own constitutions and electoral laws, and armed with the new "SADC Principles for Democratic Elections" which were adopted by the heads of state of each SADC country in August last year, these delegations all concluded that the elections reflected the will of the people.

A review of the SADC Principles for Democratic Elections suggests that these important regional standards were not met in the conduct of Zimbabwe's March elections. As noted by ZESN in its preliminary report, the elections failed to meet the regional standards:

"Zimbabwe's electoral climate has been one shrouded in fear from the time of the 2000 parliamentary elections, as these elections were accompanied by extensive physical violence and a number of fatalities. This climate of fear continued during subsequent by-elections that were held. This was the background against which the 2002 presidential elections were held and subsequently

⁵ MDC Report "The will of the Zimbabwean People Denied . . . Again", April 12th, 2005

⁴ ZESN Statement, 2005 Parliamentary Elections, April 2, 2005

Zimbabweans have come to associate elections with physical violence. The long term pre-electoral period was not accompanied by overt physical violence as compared to the two previous elections, but incidents of intimidation were recorded as well as intra-party violence. Examples of intimidation include the politicization of food distribution and the partisan role of some traditional leaders. This leads to the conclusion that the pre-election period was not in compliance with the SADC Principles and Guidelines . . .”⁶

Prospects for the Future

The next opportunity for electoral competition in Zimbabwe will be the 2008 presidential election. Given that the ruling party claims it legitimately controls a two-thirds majority in parliament, there is no way to anticipate what constitutional and legislative changes might be made prior to 2008. On Monday of this week, President Mugabe spoke at Zimbabwe’s 25th independence anniversary, saying he had no need for Western-style democracy or aid from the West because “we have turned East.” These remarks were made as newly acquired Chinese fighter jets flew overhead as part of the celebration.

I would suggest that the 11 million people living in Zimbabwe, many of whom are suffering from hunger, dying from AIDs or who have been politically silenced, do not share this view. The citizens of Zimbabwe believe in the universal principles of participatory democracy. They have respect for the rule of law and desperately want to live in a country that is free from violence, oppression and hunger. Their values are no different from ours.

Now is the time for the international community to re-double its efforts to support the democratic process in Zimbabwe. The opposition party MDC maintains support from a broad cross-section of Zimbabweans, and civic groups remain engaged in trying to help citizens advocate for better governance, a stronger economy and the need for health care, education and jobs. The MDC should be commended for agreeing to participate in these elections despite violence, harassment and intimidation targeted at them for the last several years. They have participated bravely and organized peacefully to engage in the electoral process, however flawed that might be. This effort deserves international recognition and support.

As we have learned, democratic change does not happen overnight. Acquiescing to the abandonment of fundamental principles of human rights will only serve to further encourage autocratic tendencies in Zimbabwe and beyond. These political rights are not, as the government of Zimbabwe would have us believe, a Western export. Rather, they embody the hopes and aspirations of the Zimbabwean people, are guaranteed by the Zimbabwean constitution, and are endorsed by international and regional protocols and standards.

After a decade of strategically supporting good governance, human rights, free and fair elections and poverty reduction in Africa, we must be steadfast in our continued support to Zimbabwe; we must continue to encourage adherence to international and regional standards of democracy; and we should use every financial and diplomatic resource to prevent the continent from losing another country to insecurity and poverty. We have learned that genuine elections are a necessary, but not sufficient, pre-condition for democracy. The Zimbabwean people are still waiting for those elections.

Mr. TANCREDO [presiding]. Thank you, Ms. Bryan.
Mr. Coddington.

STATEMENT OF MR. DAVID CODDINGTON, REGIONAL REPRESENTATIVE, SOUTHERN AFRICA OFFICE, CATHOLIC RELIEF SERVICES

Mr. CODDINGTON. Thank you Mr. Chairman and Members of the Subcommittee for organizing this hearing and inviting me to testify. I thank you. I am honored to have this opportunity.

With your permission, I am going to summarize the main points but ask that the full testimony be entered into the record.

Mr. TANCREDO. Without objection.

Mr. CODDINGTON. Catholic Relief Services has been implementing projects in Zimbabwe since 1989 and is now one of the

⁶ZESN *ibid.*

largest non-governmental organizations operating there, serving an estimated 400,000 people.

Zimbabwe is indeed in the midst of a complex humanitarian crisis. Catholic Relief Services is continuing to respond, but our efficiency and effectiveness are being constrained. We will provide some recommendations about this in a few moments.

Zimbabwe's economy is in a shambles, counterproductive Government policies are largely to blame. The controversial 2000 Land Reform Program badly damaged the once lucrative agricultural sector, but traditional source of export earnings and foreign change has cost the economy over 400,000 jobs. The tourism sector has collapsed, and the IMF recently suspended Zimbabwe.

The HIV/AIDS crisis is compounding the economic problems. According to UNAIDS, 1.6 million of Zimbabwe's 12 million citizens were living with HIV at the end of 2003. Life expectancy decreased from 52 years in 1990 to 34 years today. This health crisis leads to other crises as family breadwinners die or fall seriously ill, and families are increasingly exposed to poverty and food insecurity. Many children and youth find themselves homeless or living in child-headed households.

Yesterday's *Washington Post* chronicled the dramatic effects of AIDS in one village in southern Zimbabwe. Our staff observed these effects throughout the country. If anything, the article did not go far enough in exploring the cascading influences of AIDS in Zimbabwe. In December, I visited an orphanage near Chegutu, not far from Harare, that cares for dozens of AIDS orphans. Staff were clearly dedicated to these children but worried about how they would continue to cope both financially and emotionally. Children are dropping out of school as education becomes a cost-prohibited luxury, and schools are critical to altering high-risk behaviors that fuel the HIV/AIDS epidemic and reversing the pandemic.

The most immediate threat to Zimbabwe, however, is the food insecurity. Stocks of basic commodities, particularly their staple, corn, are increasingly scarce, and when available, prove far too expensive for many Zimbabweans to afford. This insecurity is fueled by a lack of basic food stocks, poor agricultural production, runaway inflation, and an operating environment that limits the ability of humanitarian agencies to deliver food aid and other assistance.

In May 2004, the Zimbabwean Government projected that over the next year, agriculture production would be sufficient to meet domestic demand, and that there would even be a surplus. Simultaneously, the Government ordered the discontinuation of food aid importations as well as all general and many targeted feeding programs. Many experts dispute Government projections and forecast another food security crisis.

Catholic Relief Services implements a variety of programming activities in Zimbabwe to respond to these crises, some of which I will highlight here.

At the height of the famine relief efforts in 2002/2003, we and our partner organizations provided monthly nutritional assistance to 180,000 beneficiaries with funding from USAID's Office of Foreign Disaster Assistance and Food For Peace, and the U.N. World Food Programme. We currently provide agricultural imports to

60,000 farm families with funding from the United Kingdom's Department for International Development. And since 2002, we provided direct educational assistance to 88,000 orphans and other vulnerable children, thanks to the support of USAID and other donors.

Our HIV Stride Program and other HIV/AIDS programs seek to assist those infected with or infected by the disease to educate the Zimbabweans about HIV/AIDS and to promote behavior change, particularly among young people. Rest assured, this aid makes a difference.

Sadly, the current operating environment for NGOs in Zimbabwe is very frustrating. Our efforts are being severely hampered by the Zimbabwean Government, resulting in a significant scaling back of operations. To illustrate, since last August, NGOs have been subjected to unprecedented denials of work permits for international staff. Some organizations, such as MedAir, have had all work permit appeals rejected and were forced to leave Zimbabwe.

Unexplained holdups in the importation of food, agricultural products and antiretroviral drugs have resulted in excessive delays or complete shutdowns of some relief interventions. Underlying these bureaucratic pressures is the increasingly difficult economic environment. And our officially low international exchange rate greatly inflates our operating costs.

Finally, Government investigations of NGO activities which carry the threat of criminal prosecution and fines concurrent with unprecedented attacks against NGOs in the official newspaper are eroding our capacity to carry out efficient and effective programming.

Based on regular input and reports from our Zimbabwe and regional office staff, Catholic Relief Services therefore respectfully submits the following recommendations for consideration by the House, and we fully support many of the suggestions put forth by our colleagues.

First, the U.S. Government and the international community must remain engaged with the Government of Zimbabwe and support the work of respected non-governmental organizations by negotiating to remove political and bureaucratic obstacles to humanitarian assistance as a precursor to the following two recommendations.

Second, donors, U.N. agencies or other recognized international bodies must advocate with Zimbabwe's Government to permit the humanitarian community to conduct a comprehensive and transparent assessment of Zimbabwe's food security situation.

Third, the U.S. Government and international community must increase the emergency and developmental aid available to the U.N. and international aid agencies in Zimbabwe. This includes a significant increase in funding to prevent food insecurity and combat the AIDS pandemic.

Mr. Chairman and Members of the Subcommittee, Catholic Relief Services emphasizes that the humanitarian situation in Zimbabwe is grim. The U.S. Government has a crucial role to play by remaining engaged with the Government of Zimbabwe to ensure that urgent humanitarian needs are addressed. We urge Congress to work with the Administration to provide adequate support and

resources and build the coalitions necessary to ensure that humanitarian aid reaches the people of Zimbabwe in time to prevent further hardships.

That said, the current operating environment must also change or Catholic Relief Services may find itself unable to continue fulfilling our humanitarian mission to Zimbabwe.

Thank you for your support of the work of Catholic Relief Services and our sister relief in development agencies in Zimbabwe. I welcome the opportunity to take your questions.

[The prepared statement of Mr. Coddington follows:]

PREPARED STATEMENT OF MR. DAVID CODDINGTON, REGIONAL REPRESENTATIVE,
SOUTHERN AFRICA OFFICE, CATHOLIC RELIEF SERVICES

Thank you, Mr. Chairman, and members of the Subcommittee, for organizing this hearing and inviting me to testify. I am honored to have this opportunity.

My name is Dave Coddington. I am the Southern Africa Regional Representative for Catholic Relief Services, based in Baltimore, MD. Catholic Relief Services has been implementing projects in Zimbabwe since 1989, and is today one of the largest non-governmental organizations (NGOs) operating there, serving an estimated 400,000 people.

Zimbabwe's economy was once the fastest growing in Africa, but is now in the midst of a complex humanitarian crisis the main causes of which include:

- an adult HIV infection rate of 24%¹,
- four consecutive years of drought,
- triple-digit inflation,
- 50–70% unemployment
- and the lack of foreign capital necessary to access basic commodities.

Salaries are devaluing so fast that working Zimbabweans are finding it increasingly difficult to feed their families, send their children to school, care for sick relatives, or even travel to and from work. Basic commodities, when available, are becoming unaffordable even for those who consider themselves “middle class.”

Counterproductive policies by the Government of Zimbabwe have caused these factors. A controversial land reform program—which began in 2000 to address what many Zimbabweans regard as historic wrongs and injustices—has badly damaged the once lucrative agricultural sector, a traditional source of export earnings and foreign exchange. Over 400,000 agricultural jobs have been lost in the wake of the land reform process. The tourism sector, once a major source of foreign exchange and revenue, has also collapsed. Furthermore, the IMF recently suspended Zimbabwe due to its failure to meet budgetary goals and financial obligations.

According to the UNAIDS 2004 Report on the Global AIDS Epidemic, 1.6 million of Zimbabwe's 12 million citizens were living with HIV at the end of 2003. Life expectancy in Zimbabwe has decreased from 52 years in 1990 to 34 years in 2003. This health crisis cascades into other crises as family breadwinners die or fall ill and families are increasingly exposed to poverty and food insecurity. 170,000 Zimbabweans died in 2003 due to AIDS, and nearly 1,000,000 Zimbabwean children have lost one or both parents to AIDS.² Though the extended family is the historic social safety net for orphaned children, this safety net is disintegrating as the epidemic affects more and more families. Increasing numbers of children and youth are homeless or living in child-headed households. Yesterday's *Washington Post* chronicled the dramatic effects of AIDS in one village in southern Zimbabwe. Our staff see these effects throughout the country. If anything, the article did not go far enough exploring the cascading influences of AIDS in Zimbabwe. Many children drop out of school as education—with its enrollment, uniform and book fees—has become a cost-prohibitive luxury. While the awareness and psychosocial support available through school is critical in altering the high-risk behavior that is fueling the HIV/AIDS epidemic, as more and more children drop out the prospect of reversing the epidemic among the next generation is increasingly bleak. Consequently, a downward spiral of economic and social conditions is gripping Zimbabwe. High-risk behavior fuels the HIV/AIDS epidemic, which fuels economic collapse, which fuels

¹UNAIDS 2004 Report on the Global AIDS Epidemic

²UNAIDS 2004 Report on the Global AIDS Epidemic

a breakdown in social services and education, which leads in turn to more high-risk behavior.

The most immediate threat to the people of Zimbabwe is food insecurity. Stocks of basic commodities—particularly the staple corn—are increasingly scarce, and when available, are too expensive for many Zimbabweans to buy. There are three main causes of the current food insecurity: 1) a lack of food stocks and poor agricultural production; 2) runaway inflation that continuously drives up the price of food; and 3) an operating environment that limits the ability of international aid agencies to effectively target and deliver emergency food to the most vulnerable. In May 2004, the Government of Zimbabwe projected that Zimbabwe would, over the next year, produce sufficient quantities of corn to feed its people, and would likely even produce a surplus for export. So certain was the government of its agricultural productive capacity that it told the donor community to halt food importations and cease all general, and some targeted, feeding programs. Many international and domestic experts argued that the government's agricultural production projections were incorrect and another food crisis was likely. Last year, Zimbabwe's estimated corn consumption was 1.8 million metric tons. Experts say requirements could be even greater this year. As of November 2004, near the end of the harvest period, only about 400,000 metric tons had been sold to the government's Grain Marketing Board, the sole entity allowed to procure and market corn in Zimbabwe.

Despite a recent UNICEF study showing alarming increases in infant malnutrition throughout the country, particularly in orphanages and in the south, no formal requests for assistance have yet been made by the government of Zimbabwe to the United Nations or any other donor. Many in the international community fear that by the time the Zimbabwean government acknowledges publicly that it has a serious shortfall in corn production, it may be difficult to quickly mount an effective international effort to prevent wide scale acute food insecurity.

Catholic Relief Services' major objectives in responding to these threats are:

- 1) To help communities to effectively prevent the spread of HIV and to mitigate its impact through increased capacity and awareness;
- 2) To mitigate the impact of disasters, ensuring food and economic security for vulnerable individuals, households and communities, particularly those affected by HIV/AIDS; and,
- 3) To build the capacity of local organizations and communities to advocate against unjust structures compromising the rights of people living with and affected by HIV/AIDS.

Towards these ends, Catholic Relief Services implements a variety of programming activities. For example, at the height of famine relief efforts in 2002–03, Catholic Relief Services and our partner organizations provided nutritional assistance to 180,000 food insecure Zimbabweans each month with funding from the Office of Foreign Disaster Assistance (OFDA), Food for Peace (FFP) and the World Food Programme. Catholic Relief Services and our partners currently provide fertilizer and seeds to 60,000 farming families with funding from the United Kingdom Department for International Development (DFID). And since 2002, we have provided direct educational assistance to 88,000 orphans and other vulnerable children with the support of USAID and other donors.

But the operating environment in which NGOs function in Zimbabwe is increasingly frustrating our relief efforts. Many NGOs, like Catholic Relief Services, are working in Zimbabwe to alleviate hunger, strengthen the livelihood strategies of marginalized populations, and mitigate the impact and reduce the prevalence of HIV and AIDS. Yet these efforts are being severely hampered by the Government of Zimbabwe, resulting in the scaling back of operations or departure of many NGOs. This is a tragic irony given that the humanitarian needs are escalating while resources are dwindling. If the operational environment for Catholic Relief Services and other NGOs in Zimbabwe does not improve, the current crisis will certainly deepen.

To compound matters, beginning in August 2004, NGOs have been subjected to unprecedented denials of work permits for international relief and development workers. Some organizations, albeit a few, have seen all of their work permit appeals rejected and have had to close shop in Zimbabwe. Unexplainable delays in the importation of food, other agricultural products and anti-retroviral drugs have resulted in the unnecessary delays or complete shutdowns of some relief interventions. Underlying these bureaucratic pressures is the increasingly difficult economic environment in which an artificially low international exchange rate has greatly inflated the operating costs. International organizations such as CRS must exchange US dollars at the current government designated auction rate of Z\$6,200 to US\$1 but

goods and services are generally priced at the parallel rate of Z\$17,000 to US\$1. The rent for our office space, for example, has increased by 200% within the span of one month. Our national staff have demanded an increase of 450% in their salaries to keep up with inflation. Finally, a series of government investigations into the work of international NGOs, carrying the threat of prosecution and fines, accompanied by unprecedented attacks against NGOs in the official newspaper, are eroding our capacity to carry out efficient and effective relief and development programs.

Catholic Relief Services and our colleagues in the NGO community are committed to helping the people of Zimbabwe through this crisis. It is abundantly clear that more international resources are needed in Zimbabwe to halt and eventually reverse the present momentum of the HIV/AIDS pandemic and to restore dignified and sustainable livelihoods for millions who are suffering from food insecurity. But it is also clear that the impact of international aid in Zimbabwe is severely mitigated by the political environment in which NGOs are forced to function, which only the Government of Zimbabwe can change. Until these changes occur and Zimbabwe's government allows the humanitarian community unimpeded access to the most vulnerable, humanitarian aid to Zimbabwe will continue to be a high-risk and costly investment. However, even given the risk, Catholic Relief Services believes foreign aid must continue as an act of solidarity and support for the most vulnerable and marginalized of Zimbabwean society.

Catholic Relief Services therefore respectfully submits the following recommended actions for consideration by the House:

- 1) Donors, UN agencies or other recognized international bodies must advocate to allow the humanitarian community to conduct a comprehensive and transparent assessment of Zimbabwe's food security situation.
- 2) The US Government and international community must increase the emergency and developmental aid available to the UN and international aid agencies in Zimbabwe.
- 3) The US Government and the international community must remain engaged with the Government of Zimbabwe and support the work of respected non-governmental organizations by negotiating to remove bureaucratic obstacles to humanitarian assistance.

In conclusion, Mr. Chairman and Members of the Subcommittee, Catholic Relief Services emphasizes that the situation in Zimbabwe is a serious humanitarian crisis. We believe that the US Government has a crucial role to play by remaining engaged with the Government of Zimbabwe to ensure that urgent humanitarian needs are addressed. We urge Congress to work with the Administration to provide adequate support and resources, and build the coalitions necessary to ensure that humanitarian aid reaches the people of Zimbabwe in time to prevent further hardships. Thank you for your support of the work of non-governmental organizations such as Catholic Relief Services in Zimbabwe. I welcome the opportunity to respond to any questions you may have.

Mr. TANCREDO. Thank you all very much.

And I apologize to you for the tag-team approach toward doing this, but I think—as soon as the Chairman has returned, we will all be here for the duration.

Well, first, we will start off a question for Mr. Mills. The Congress of South Africa Trade Unions has expressed solidarity with the workers and people of Zimbabwe, but despite their influence within South Africa's Government, the labor movement in South Africa has been unable to break through and change Mbeki Government policy toward Zimbabwe.

Are there chances that continued labor movement pressure could result in a major policy change for the better? What is the situation as you see it in terms of the amount of pressure that can be brought by the trade unions and their willingness to do so?

Mr. MILLS. Thank you very much for the question.

Well, a lot of people have speculated—a lot of people did speculate in South Africa before the election that COSATU's in a sense political brinkmanship over the Zimbabwe election was part and parcel of a wider strategy to give itself a greater political profile,

not just regionally, but also within South Africa itself. But it certainly didn't appear to have any impact. It gained a lot of coverage in the news in South Africa, some internationally, but it didn't change the position of the South African Government one iota with regard to Zimbabwe. And more to the change—more importantly, the Zimbabwean—the way in which the Zimbabweans carried out the election one iota either.

I would not think personally that there is much prospect of a major policy change on the part of the South African Government. Since the time of President Bush's visit—indeed, before that time, nearly 2 years ago, President Mbeki has consistently said that it is the policy of the South African Government to allow the Zimbabweans to solve this crisis themselves and that the South African Government would simply facilitate talks between the MDC and Zimbabwe. And that has been consistently the South African Government's policy with regard to Zimbabwe, with sporadic attempts, however, to actually facilitate these talks.

I don't think that policy is going to change, whatever the pressure from COSATU, and I think for that reason, hence my suggestion that the policy change probably needs to come from those outside of the region to try and bring about the change within Zimbabwe itself.

Mr. TANCREDO. I have no more questions, Mr. Chairman.

Mr. Payne.

Mr. PAYNE. Thank you very much. Unfortunately, I was unable to hear your testimony, but was able to browse through it after the fact. But I did hear, Dr. Mills, in your opening statement, you sort of cemented a question that Mr. Tancredo had. You mentioned that there seems to be an interest and perhaps some hope within ZANU-PF to change the Government from within, not talking about outside labor unions or whatever. Have you seen any signs of this within the ZANU-PF party? And if so, do you have any suggestions of how we may be able to assist without messing—you know, without it appearing that there is the hand of the U.S., so, therefore, let's remove ourselves, let's condemn this movement because it is foreign driven, and other sensitivity of looking too close to the U.S.?

Mr. MILLS. Thank you, again, for the question.

I suggested that—my last of my five policy options, broad policy options to look at one of strategic engagement, not just with ZANU-PF, but with both ZANU-PF and the opposition, but the policy change would be that the Parliament engage more closely with ZANU-PF as a whole.

I think what we have seen over the last year in particular, with all the machinations around leadership changes within ZANU-PF, that it is difficult to expect democracy in Zimbabwe when the ruling party itself doesn't have democratic values in terms of the way in which it runs its own selection and leadership selection process.

There appears to be—part of it is generational; part of it is factional; part of it is ethnic. But there appears to be a number of widening cracks within ZANU-PF in terms of the emergence of different factions. And I think if one was going to have a policy toward Zimbabwe which was premised more by engagement and less by isolation, it would have to look to see who the movers and shak-

ers were within ZANU–PF and attempt to engage with them to see what sort of role may be played from the inside in terms of getting change in Zimbabwe.

There is going to be a point—probably not too distant in the future—when the leadership of Zimbabwe is going to change through simple generational age issues. And it will be, I think, good for the United States Government and other governments to be engaged at that point and to encourage the reformers, because they do exist, within ZANU–PF.

I think what we have seen over the 4 years—and I hear what my fellows here say about the bravery of members of the MDC, but I think what we have seen over the last 4 years is that there is little chance of the MDC, within the current environment, being able to instigate political change and democracy within Zimbabwe. And I think that this means that you should be looking at a number of different alternatives and changing the things that you can most easily change, which is United States policy rather than South African policy.

Mr. PAYNE. One of my visits to Zimbabwe, maybe 4 or 5 years ago, I guess at the time that MDC was beginning—not beginning, but it seemed to have peaked, evidently, 4 or 5 years ago, it seemed that they had something going, and it looked like at the next election that things would improve. It might have been the 2001 election, going into 2002/2003, and things sort of leveled off in the 2003, and of course, in this one in 2005, we didn't see much more progress. Now there certainly is intimidation and fraud that has gone on in 2005 and 2003, but the same thing went in on 2001, yet we did see a move forward. I mean, it has never been a level playing field. So I wonder what any of your opinions might be. I met with, you know, Morgan Tsvangirai, and it seemed that his—this platform was sort of more anti ZANU–PF, but it wasn't—it didn't seem to be too much of a vision of what he would do, other than really oppose this bad regime, which we find in a lot of instances in developing countries. You find people are opposed to something, but then when you say, what is your plan, they really just want to be the leader because they think they could do a better job. I remember in one of my trips there meeting with opposition people, and at that time it was a group of women lawyers, young women lawyers who seemed to really have a lot going, they were outspoken, of course. They were very—they were beneficiaries of the—comparative to other African countries—better educational opportunity, and I wonder whether any of you, maybe IDI or NDI folks, remember any movement of women lawyers maybe 3, 4, 5 years ago, and what seemed to have happened to that movement?

Mr. KRILLA. Well, I can certainly address your first question, Congressman Payne.

I would say, all indications on the MDC are that they have shown incredible resilience to survive as a party. You are very familiar with the conditions under which they have operated, and the fact that their leader had his passport stripped away for 2 years and has been under constant surveillance. It made things very difficult for him. The fact that they have been able to survive as a party has been a testament to that resilience. But also, the fact is they haven't just survived, they have actually grown in support.

And during the last election, the lead-up to the last election, you saw rallies of tens of thousands of individuals showing up, so you are seeing the support.

In terms of platform, they definitely have been able to reach out to people as more than just the “not-Mugabe party.” At a lot of these rallies, they have addressed specific areas of interest, issue areas for Zimbabweans, whether it is jobs, crime, certainly the food issue, which has been so politicized by ZANU and used as such a weapon, has been something that they have addressed. Even issues of land reform are something that they are very willing to take action on in a more democratic fashion than we have seen from the ZANU–PF. So I think that is a credit to the MDC. I think with all the challenges to their leadership, there are very few MPs from MDC that have not spent some time in jail, and I think that is a testament to the environment in which they work.

So I think that is a credit to MDC. I think we have seen a lot of strength and a lot of widespread platform development from them over the years, increasingly so, considering that, only 4 or 5 years ago, when you were there, they were pretty new on the horizon.

Ms. BRYAN. I would just echo that, Congressman Payne. I think, over the last 5 years, they have changed dramatically. They emerged as an alternative to Mugabe, and I don’t think they had positions 6 years ago.

But one of the things I said in my testimony before you got here, I was out there during that week and went to a number of their rallies, and it was amazing the positions they laid out at these rallies, very concrete ideas about health care and education and economic development, HIV/AIDS. And I was really, really impressed, particularly when you compare other political parties around the continent, and we both work with a lot of them, and most of the time, they have not thought through any of these issues.

I think they have had to do this as a way of maintaining their base and broadening their base, but also in attempt to show the rest of the world and the regional community that they are here to stay and that they have valid ideas. So there is, I think, a misrepresentation out in southern Africa that they have not developed and that they are on the decline, and I would say it is just the opposite.

And as to your second question, the women lawyers group, I don’t know anything specifically, but we can certainly try to find out more and get back to your staff on that.

Mr. PAYNE. And if we could find the records from that trip, it was some time ago. But we did meet with this group, and they were very outspoken. They were very sharp, they were very critical of the Government, they knew what they wanted to do. They knew that they wanted to see economic growth and really move forward in trying to, you know—as a matter of fact, the land issue was fourth, fifth down on their list of interests because they wanted to deal with an expanding economy rather than talk about going back to a parcel of land or something.

Thank you, Mr. Chairman.

Mr. MILLS. May I add to the comments? I think I echo the words here as well about how difficult it has been for the MDC to be able

to operate under the circumstances of the last 5 years. They are under continuous pressure, under threat of prosecutions, under threat of legal action, violence, intimidation and so on. But I think they are quite fundamental questions about where the MDC goes from this point onwards, and I think there are two broad options. One is the sort of old South African Progressive Party model of obstructionist parliamentarian opposition movement, with a smaller number, of course, of parliamentarians than they had originally, but that they try and work within the parliamentary environments to try and change Zimbabwe from within. To be honest, I don't know how much effect that is going to have on the environment. Right now, Mugabe has two-thirds majority and has shown very scant regard for parliamentary and other niceties.

The other option is of course the sort of Ukrainian option, that they don't take up their seats in Parliament; but I do think that probably too many of the MDC parliamentarians are on the parliamentary gravy train. One of the reasons that the MDC was, in a sense, I think, pressurized to take part in the election was both from within its own party, that there are many people whose livelihood depends on a role within Zimbabwe politics. In a sense, the same conundrum faces them now that faced them before the election, that they are dammed if they do and dammed if they don't. They were dammed if they took part in the elections, given the gerrymandering that occurred beforehand, and they were dammed by the international and particular regional community if they didn't. And now they are dammed if they take part in Parliament, and they are dammed if they don't. And it is going to take extraordinary leadership on the part of the MDC, and I am not sure—and this is, perhaps, where I differ with my colleagues—whether we have seen the sort of extraordinary leadership that it will take for them to actually remove themselves from Parliament and to play a role outside of politics. And from a South African perspective, I am not sure.

And I would compare the MDC to the ANC in this regard, and they do have very interesting parallels in terms of their origins, of course, which often is overlooked in South Africa. I am sure that the ANC would not have taken part in the election of South Africa in the same conditions that the MDC did. And that is the sort of difference in leadership which perhaps they are going to have to develop if they are going to play a meaningful role in the short term in changing Zimbabwe. Undoubtedly, in my mind, it will play a very important role in the long term, but it is the short term that is crucial.

Mr. PAYNE. Mr. Chairman, just one last question. Too bad every country doesn't have a Nelson Mandela, we would have no problems in the world, I don't think. However, the absence of the overt hardline physical behavior that we have seen in, I guess, the 2003 elections or leading up—beginning, I guess, when this whole democracy movement started in 2001 or 2000. What do you attribute to the absence of overt violence on the part of the Government and the police authorities and the military?

Mr. MILLS. I will have a stab at that quickly. I mean, I think the fact probably, principally, that the memory of the civil war in Zimbabwe—which was a very bloody event, this was no passive re-

sistance occasion—is seared into the minds of Zimbabweans. They know the cost of violence, and it is a very vivid and recent memory.

And I think, secondly, related to that, that the Zimbabwean State apparatus, both formal and informal—both in terms of security forces, the police services, the military and so on, as well as in terms of the informal militia, the youth brigades, the green bombers and other movements—have shown scant regard for people’s lives when it comes down to it, and I think people are frightened of the consequences; there would be terrible violence in the country. And I think that is why the situation hasn’t developed further.

Mr. SMITH [presiding]. Let me just ask a couple of final questions because you have been very patient, and again, I apologize for all the interruptions. As Mr. Coddington points out, the UNAIDS survey shows that 24 percent of the Zimbabweans are HIV infected. Are there differences between what the ZANU–PF and the MDC would do? One, what the Government is doing, and what the opposition party would do vis-a-vis AIDS? Is it clear what new course they might take to try to mitigate this horrific infection rate?

Mr. CODDINGTON. I don’t know that I am in a great position to answer this, but what we need—what Catholic Relief Services would like to happen is for us to have some of the blockages that are preventing us from delivering aid efficiently and effectively to the people of Zimbabwe, and whether that is through the MDC or the ZANU–PF, certainly, we are requesting the assistance of Congress and the Administration, whoever, donors, whoever can sort of help us get through that.

As far as positions on what the different parties would do to increase or decrease funding or the implementation of projects to HIV/AIDS, I can’t say.

Ms. BRYAN. I think there is a tendency—and we have seen this in other areas—that ZANU–PF is going to use resources, whether it is for food aid or HIV/AIDS, selectively to individuals who will support them, and use it in retribution against those who support MDC. I don’t think MDC has an opportunity to show us what they would do, but I certainly think they have an articulated position, which is something new, and I think they have set aside individuals in Parliament who have developed policies and platforms and actually hired expertise to help them think through what they would do if they do have more leverage in Parliament or if they get into power. So I think it is hard to know what they would actually do on the ground, but I think the danger is that the current Government, in all likelihood, will use its resources selectively.

Mr. SMITH. On the NGO bill, which I raised earlier, what is your sense as to whether or not that gets signed, and what are the real world implications if it does?

Mr. KRILLA. Well, certainly, if it gets signed, it would be devastating to groups such as all of the three of ours at least, so that they wouldn’t be interested in operating on the ground, and would certainly not be able to.

The challenge has been, even though the bill hasn’t been signed, a lot of the police forces and military have been acting as if it has been signed. And a lot of the NGOs, as soon as the bill was intro-

duced, recognized the writing was on the wall. So you see that oppressive intent of the legislation already moving forward.

So the challenge that we see in the oppressive environment would only get worse, and especially with democracy organizations that hope to work with local partners, it would be untenable.

Mr. SMITH. Yes, Mr. Coddington.

Mr. CODDINGTON. Yes, sir. From my perspective, the law was sort of open to interpretation. It was not very specific. And when you start getting into ideas such as human rights, our position is that everybody has the basic human right to develop their capacity to be educated, to have access to health care and so on. So are we in fact a human rights organization? Our partner organizations on the ground, human rights organizations: Is that the focus of their activities? And it could be interpreted that it would be difficult to understand if we were actually breaking the law; we are following the letters of this bill or this law, so it kind of put us in a challenging position to know how to act, and that was the biggest single concern to us. Plus there was the restriction of international funding for local NGOs. And we work almost exclusively in Zimbabwe through partner organizations, and most of those are not international organizations. They are local organizations, so if we apply the rules to that, the rules of the NGO and churches to that, saying no funding to anybody, that any organization that is involved in human rights, in governance; we didn't know if we would be able to continue funding those organizations or not.

Mr. SMITH. Let me ask one final question. Obviously, Bishop Tutu was an outspoken critic of apartheid, and I am very happy to say that he has also spoken out very strongly in sharp difference to what the South African Government has done. He has at least criticized the Mugabe Government. Why isn't he and other religious leaders who were critical to bringing about reforms in South Africa having an impact both in South Africa and then, by extension, in Abu Dhabi? You would think that the South African Government would listen to a voice, conscience, who has been heard throughout now for decades when it comes to matters of human rights, even on something like this legislation, which obviously would curtail and lead to further repression of an already bad situation in Zimbabwe. Why isn't he listened to? Because, again, we are all very glad to hear that he has been—even in relation to the most recent elections. Anyone want to handle that?

Mr. MILLS. I think many South Africans, Mr. Chairman, would have the same question as you. And I think that the debate, the wider debate in South Africa involving Archbishop Tutu and the President, sometimes, and members of the AMC is an interesting one in terms of his ongoing role in promoting democratic norms and values and standards.

I think it raises, perhaps indirectly, an interesting question about why the South African Government has—which I partly answered in my presentation—why South Africa has responded in the way that it has to Zimbabwe. It reflects partly the history of the region, in terms of race and the inequitable allocation of resources. It partly reflects the fact that there are many Africans who, grudgingly or not—both within South Africa and further afield—have a certain respect for Mr. Mugabe for standing up to the West in the

manner that he has done, apparently, so fearlessly, however irrational that may appear, that of course relates to this history. But it also partly reflects in a more complicated way some of the fears and insecurities of liberation movements as they make the progression to political parties, as they have matured themselves and take in opposition forces and take in criticisms of their own style of rule.

And I think that, for those reasons, that criticism of the Government, Zimbabwe policy by people such as Archbishop Tutu and others hasn't really had the same effect perhaps as it had in South Africa. I think that it goes to the heart of core issues and insecurities about the way perhaps South Africa is transitioning itself, and that is why it hasn't had the same resonance.

Mr. PAYNE. Any of you might try to take a stab at this, too. Although the transition from the White minority rule to the majority rule, and it has been somewhat different in Zimbabwe as for South Africa, do you think that there is any sort of truth to the thought that, although it is not as pronounced as in Zimbabwe—but the question of land and land ownership is somewhat similar in South Africa—I mean, you know, Blacks own very little land, and perhaps for Mbeki, who could find that if people are saying, you know, change is too slow and we are still in the same position we used to be in, and we are not seeing any expansion of employment opportunities and so forth, that if Mbeki was very critical of Mugabe, there could be backlash against him and his own to say, what are you doing, how are you making the transition? Whites own all of the property and the buildings in Johannesburg, and all of the developments are owned by the former people. And so, do you think that may sort of have some play in the back of the minds of the AMC or the Mbekis?

Mr. MILLS. Thank you, again, for the question.

As I said earlier, I think there is a resonance domestically in South Africa of what is happening in Zimbabwe for reasons of race and reasons of history and reasons of inequality. But I do think one should point out that there are dramatic differences between the way in which the South African Government has, through very acceptable processes of governments and governance, gone about its land distribution program. And it is proceeding—it is not proceeding as fast as some people would like in South Africa, but that is also being matched with a program of Black economic empowerment in South Africa which various charters have been established. It is a different, completely different form of empowerment and is addressing the inequalities in the past that Zimbabwe has experienced.

Mr. Mugabe did what he did in Zimbabwe precisely because he was running out of political options. In South Africa, the ANC has not, quite the opposite, run out of political options; it has increased its political support in South Africa, it has displayed extremely good and respective styles and levels of governance in what it has done over the past 10 years.

So I don't think there is this parallel that other people would want to point out. I think fundamentally there are two reasons, to rearticulate them—which I do in my talk and in my formal presentation. One is this resonance question, and the other is the fact that the South African Government sincerely believes, rightly or

wrongly, that there is no alternative to doing what it is doing in Zimbabwe, that the options of imposing sanctions, the options of using more dramatic efforts to bring Mr. Mugabe to heel are not going to work. They cite the example of the Nigerians, who spoke up much more critically against Mr. Mugabe, essentially operating in the arctic circle of relevance with regard to Zimbabwe, and that they didn't want that to be the case with a direct neighbor of South Africa, that they sincerely believe that, from South Africa's own experience, that this is the only option and that they really have to allow the political space for Zimbabweans to sort out their own difficulties.

Now one could be critical and say that this is naive in the circumstances, but that is the South African Government's belief, that those are the only alternatives.

And again, it raises the question then, if that is the South African policy, then what are the other policy options facing other countries?

Mr. SMITH. I do have one additional question. Archbishop Ncube, as you know, has been a fierce critic of Mugabe. Without objection, I would like to make a part of the record a March 26, 2005 statement, Political Abuse of Food Ahead of the Parliamentary Elections, which is a statement by him and which is very powerful.

[The information referred to follows:]

STATEMENT BY HIS GRACE, THE MOST REVEREND ARCHBISHOP PIUS NCUBE, SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL OPERATIONS

POLITICAL ABUSE OF FOOD AHEAD OF PARLIAMENTARY ELECTIONS

With only days to go to the Parliamentary elections, food is being used as a political weapon in parts of rural Matabeleland. Our region of Zimbabwe has had almost no rain since January, and rural households are facing close to 100% crop failure. Families that were being sustained by World Food Programme donor food during 2004 no longer have this lifeline. Very few stores, whether in town centres or elsewhere, have mealie meal for sale, and in any case the commercial cost of mealie meal is unaffordable for many of the hundreds of thousands of rural Zimbabweans who live in our drought-stricken regions.

Since the World Food Programme was requested by our government to cease its feeding, the only source of mealie meal in many rural communities has become that sold by the Grain Marketing Board (GMB), a government parastatal. This means that government effectively controls where in the country maize is available—and to whom.

It is therefore of deep concern that evidence has been brought to my attention that in some places, GMB maize is being sold on party political lines. I have spoken to villagers from Insiza District in Matabeleland South, who report that GMB maize is being systematically denied to those perceived to be supporters of the opposition Movement for Democratic Change (MDC). The following are a few examples of the political abuse of food:

- Eight villagers recounted that on 19 March 2005, GMB maize was finally delivered in their ward of Insiza. They had paid Z\$ 37,000 in January in advance for 50kg bags of maize. But when they arrived with other villages to receive their maize, their names were among those on a long list read out of supposed MDC supporters. These people were publicly humiliated and sent away in disgrace by the local ZANU PF chairperson, who was sitting on top of the bags of maize. They were given their money back and were told they would never receive GMB maize, because it was only for ZANU PF.
- An eighty-three year old woman who looks after five orphans recounted that because she supports the MDC she is on the list of those who has been denied the right to buy food from GMB, and has been told by her local headman that

unless she converts to ZANU PF she will die of starvation. Her children have almost nothing to eat and cry from hunger.

- A young man who used to be part of ZANU PF youth structures, but who is now not strongly politically affiliated, recounted how he went for training as a local observer for the elections last week—around 15 March 2005. When he returned, he was accused of being MDC as a result of training as an election observer, and he too is now being denied the right to buy food from GMB.

This brave and desperate group of villagers believes that in their ward of Insiza alone, there are 188 families that are on the MDC list and cannot buy GMB maize. This represents a sizeable proportion of those resident in this ward.

It is reported that similar food abuse is occurring in other wards of Insiza.

Furthermore, we have received reports from some other parts of Matabeleland, of widespread threats that if people vote MDC then their area will never see GMB food again.

- One of our staff was at a rally in Gwanda this week, and heard villagers standing one after another to recount that they had been threatened with being forcibly disappeared, and had been threatened with starvation, if they attended any MDC rally. They stated that many more people would have been at that rally if it was not for such threats.
- Informants returning from Tsholotsho and Binga have reported similar threats being uttered, and that food had become a politicised commodity.

That people are actually having food withheld, or are being threatened with this outcome if any party other than ZANU PF should win the election at the local levels, is a serious crime. The right to food is the most primary right of all human beings. Without food, people die. There is great hunger in Zimbabwe right now. It is clear that while this government may not wish people to starve to death, certain elements within government are happy to have those who do not support ZANU PF to suffer from hunger, anxiety, insecurity and depression. How can people thus afraid of starvation be free to vote for the party of their choice?

It is an evil form of coercion to chase men and women away from food selling points for political reasons. Must parents in some parts of Zimbabwe now choose between belonging to the party of their choice and then having to listen to their children crying from hunger, or to join the political party that is prepared to risk the health of the nation's children for political gain? What greater violence against the family unit can there be than to make parents choose between political freedom, and the well being of their children?

It is the role of the Church to speak on behalf of those whose voices are not being heard, and to amplify the brave voices of those prepared to speak out on behalf of their communities. In some parts of Zimbabwe, people are being deliberately denied access to food because they do not support ZANU PF. This must stop.

The legitimacy of this election must be once more called into question ahead of voting day. With almost total crop failure looming in our region, to cynically use hunger as a weapon is to stab at the very heart of democracy.

+ PIUS A. NCUBE
Archbishop of Bulawayo

Mr. SMITH. He stated, when Mugabe went to Rome for the funeral of John Paul II, that this man is shameless, and that—conveying, frankly, that he knows no bounds, even in trying to put himself in a position where he is seen in a better light by the Europeans and others.

It seems to me that kind of statement could trigger an up to 5-year prison sentence that could be imposed by anyone who speaks out against Mugabe himself or his Government. How effectively has that tool of tyranny been used to stifle dissent among clerks, among others as well, if you criticize the Government? I remember the Soviets had that catch-all phrase, slander against the Soviet State, which was just a catch-all way of going after anyone who dissented. Has it been used with vigor? Is the Archbishop at risk?

Ms. BRYAN. For some reason, I think the religious community has been allowed to speak fairly loudly. And there are a number of bishops who have been very critical. And this statement pales

in comparison to some other things that he has said publically in Zimbabwe. I think he is brave, and a lot of these folks are brave, but I don't think that Mugabe wants to go so far as to put a bishop, or a religious leader who is well respected in Zimbabwe in a region, in jail. So I have a feeling that they are going to be allowed to continue to be critical without great risk.

Mr. KRILLA. And I would like to add, Mr. Chairman, I think that is one of the areas of civil society where you do see some strength. I think the churches have been able to work in this very oppressive regime, maybe not as effectively as if they had more political space to operate, but they are one of the few success stories, and one of the few areas that I think the U.S. Government can look to as they hope to build upon the democratic space that already exists, little though it may be.

Mr. PAYNE. Mr. Chairman, I received a call, it may have been the same bishop, I am not sure, but Dr. Marsh knew the name because she had met with them when she visited there; was it the same? Well, he called me about a week before the election, or 3 or 4 days, and he said, "Won't you just come on over to the election?" I mean, he was honest, on a public telephone, you know, you have to come; you know, I know you are opposed to this kind of government, and this coming is not as easy to get on a plane and go to Zimbabwe. My constituents now, where is Donald Payne this week, where in the world is Congressman Payne? Like Matt Lauer, it was allowed. If I was on NBC TV, but I am not.

But anyway, I did express to him that I—and he said, "Well, I can understand, and it is not an overnight thing. It is not the end of the world next week, regardless of what the turnout is, and this is a long-term project, and so perhaps after the election sometime, you can plan to come." So listening to his rationale, I believe that they will continually have a steady push and will continue to try to reach out for groups to come and be supportive, or at least listen to this.

And I agree that, you know, Mugabe really got along well with the former Rhodesians when they were all in bed with each other; they were making money. They were in the Congo, as you know, those settlers that got involved in the whole business after Kabila was there when they decided they had to go in to keep the Rawandans out, et cetera. But everything was cozy until the elections came up, and Mugabe saw that he was losing favor. And that is when he had to then turn to the land issue. But I think that many of the former Rhodesians are as much to blame for his behavior because they had a little, you know, cozy money-making, don't-bother-me-and-I-won't-talk-about-you deal. It doesn't justify Mugabe—and then when he saw he had no other issue, he just pointed to the land and saying, guys, they were probably wondering what in the world is going on; this is our arrangement.

So it is a little more than meets the eye on some of these issues, but I do believe and I agree with you, and it is good that the religious community—that we are going to continue to work with—is standing tall.

Mr. SMITH. Let me just conclude by asking Dr. Mills one final question.

You have asserted, a real change may only coming from within ZANU–PF. What do you make of the tensions within ZANU during the election season? I mean, it has been my experience—and I do work on human rights, I have done that for 25 years—that there always are, within any dictatorship, people that you find that are moderates. You find them in the media, even when it is Government-controlled, who loathe what the Government is doing. And given the right opportunity and set of circumstances, they emerge and break forth. Do you see any signs of an emergence of moderation within the ruling click?

Mr. MILLS. I don't, Mr. Chairman, make it my job to study ZANU–PF all the time, but I think there is certainly—from the evidence and certainly in the preparation of this testimony to you here today, and in other areas of activity I have been involved in—a lot of evidence of people both within Zimbabwe and without that may be party members or that may be more generally party supporters, or they may just not be MDC supporters; they are somewhere out there in the political space, who are very critical and very liberal-minded. And I think the United States would be well served by engaging them.

And you are right, I think that when Mr. Mugabe inevitably departs the political stage, at whichever point that is, I think that the chance of there being dramatic change in Zimbabwe is very great. And I think it is incumbent on that political space to be filled very quickly and in a democratic manner and that the United States is engaged with the people who are likely to fill it.

I think what you have seen over the last year, in terms of the election process, as I said earlier, within ZANU–PF—this is a party much steeped in the traditions of democracy itself, let alone within Zimbabwe at large. And certainly, I think more liberal minds and reformist-minded elements within ZANU–PF, if they are given very limited opportunity to express themselves—as I said, many have left the country to pursue business and other interests abroad, but probably would seize the opportunity to go back if the political climate changed somewhat. So I do think there is scope for greater engagement with those factions and with those individuals.

Mr. PAYNE. There is one other—believe it or not, there is a pro-Mugabe movement actually here in New York City. I don't know if you are familiar with the December 12th Movement. I don't know if you have ever encountered them, they are a small group, but they are vocal. They are very pro-Mugabe and confrontational when he is criticized. And so there is a—and they know how to lobby, you know, New York and New Jersey Congressmen to say, "Let me ask you a question, is it fair that 3 percent of the people own 50 percent of the land?" Well, of course, the answer is, no, it is unfair. Well, therefore, how can you be opposed to a person—you know.

So when Mr. Mugabe was in New York about 4 years ago at Riverside Church or a church in New York—I think it was a church up in Harlem, and people got there at 3 or 4 in the afternoon to get into a 7 o'clock meeting to hear him, and crowds were all around. Because, once again, going back to the liberation movement of standing up against Ian Smith, that kind of memory still—of course fermented by some of the organized December 12th Move-

ment people. So it is not a simple—one of these Black and White issues—but it is not a simple issue in some of the communities in the greater New York area because the people take a simplistic approach. And governance is not simplistic, especially, as you all know since you all work in Africa and other developing countries, it is difficult to go from colonialism and try to make a transition to equal wealth and equal opportunity and all that.

But I do believe that the country—like I said, one thing that was done well was that education was a priority for a while, and that, I think, people in the back of their minds know what they want. And I think that when the time is right—and let me assure you that some of these leaders that I have spoken with privately feel the same way we do; they just feel it is an inopportune time. But they simply cannot—it doesn't serve any purpose for them to come out and speak forcefully because, as a matter of fact, it will kind of get his ire up and he will even become more stubborn and resistant.

Thank you, Mr. Chairman.

Mr. SMITH. I would agree with my friend, except to say that when people do enable and give individuals a free pass to commit human rights abuses, you know, for the victim who suffers a rape or a series of rapes, torture of some of the most excruciating kinds—and that is not whether they be a right wing, left wing, Communist, whatever their ideology is, they know it hurts. They know they suffer, and their families know that they suffer. And that is one of the beauties of this Committee; we are all about trying to make sure or trying to ensure that human rights anywhere in the world, where they are violated, we speak out boldly, consistently, regardless of what that regime may be, regardless of what continent it is on and whether or not there are reforms or not and whether or not it happens in this country as well.

So I want to thank our very distinguished panel. You have been very patient, but more importantly, you have been very, very courageous in the promotion of democracy and human rights, you and your organizations. So thank you so much for sharing your counsel and wisdom with us today.

The hearing is adjourned. Thank you.

[Whereupon, at 5:25 p.m., the Subcommittee was adjourned.]

