

NOMINATIONS

WEDNESDAY, MARCH 1, 2023

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 2:33 p.m., in Room SD-419, Dirksen Senate Office Building, Hon. Cory A. Booker presiding.

Present: Senators Booker [presiding], Cardin, Coons, Kaine, Van Hollen, Risch, Young, Barrasso, Hagerty, and Ricketts.

Also Present: Senator Casey, Jr.

OPENING STATEMENT OF HON. CORY A. BOOKER, U.S. SENATOR FROM NEW JERSEY

Senator BOOKER. I am now going to officially gavel the hearing in. This hearing of the Senate Foreign Relations Committee will now come to order.

We are here today to consider five truly important positions of great service to our nation. The first is Vivek Murthy to be the U.S. Representative on the Executive Board of the World Health Organization. The next is Ms. Kathleen FitzGibbon to be the Ambassador to the Republic of Niger.

Next is Eric Kneedler to be the Ambassador to the Republic of Rwanda. Next is Ms. Pamela Tremont to be Ambassador to the Republic of Zimbabwe, and finally, Mr. Richard Mills to be the Ambassador to the Republic of Nigeria.

As chair of this committee's Africa and Global Health Policy Subcommittee this Congress, I am eager to hear from each of you on how you intend to pursue the United States' interests in the countries and organizations you will respectively be serving in should you be confirmed by the United States Senate.

But it is also important for us to see how these interests fit in with deepening and expanding our relationships and shared opportunities with countries across Africa.

We know that too many people paint Africa, this massive continent, with broad strokes, ignoring the incredible diversity and dynamism across the continent.

I am hopeful that in the aftermath of December's U.S.-Africa Leadership Summit, the United States will chart an emboldened path forward to strengthen U.S.-Africa relations defined by shared visions and with an eye towards prosperity and sustained engagement as partners.

In particular, I would like to highlight the significance of the President's \$55 billion commitment to advance Africa's economic

and human capital development priorities, and the appointment of the Special Representative to ensure implementation of this and other summit deliverables is really a welcome sign.

I am looking forward to working with the administration and all of you to secure support for this financial commitment and ensure accountability from African leaders to deliver for their citizens.

Now it is an absolute pleasure for me, it truly is, to introduce the nominees before us, who are dedicated Americans in their service—already shown and demonstrated service.

The first is someone I have known for quite a long time, Vivek Murthy. It is my honor to introduce him as the President's nominee to become the Representative—the next Representative of the United States on the Executive Board of the World Health Organization, also known as the WHO.

Dr. Murthy is the current U.S. Surgeon General—he does not just dress that way for his fun and enjoyment—and has served our country through one of the worst public health crises in modern history.

Thanks to his effective and steady leadership and at the direction of the President of the United States, he was able to vaccinate millions in record time.

Dr. Murthy also served as U.S. Surgeon General under President Obama where he oversaw the United States response to the Ebola and Zika viruses, underscoring his ability to spearhead government wide responses to public health threats.

He has ample experience interacting with global health leaders, including the WHO director general and foreign health ministers from around the world.

I will spare the committee the rest of his incredible resume. But I will say it is a quite extensive and impressive resume. It is truly a testimony to his qualifications for his role and how he is one great American dedicated to the health of our country.

We have learned from this pandemic. We have learned about infectious diseases and we know that such diseases have no borders nor ideology. They affect human populations regardless. It is imperative that we have strong representation at the WHO.

Dr. Murthy, I look forward to hearing from you and how and why U.S. leadership and engagement at the World Health Organization is critical to fostering sustainable, resilient, and innovative developments in public health around the world.

Ms. Kathleen FitzGibbon, you have been nominated to be the U.S. Ambassador to Niger. It is—you are a career member of the Foreign Service, of which this committee is grateful.

You have served as deputy chief of mission in Nigeria. Your track record across Africa spans more than two decades—you started when you were 12—and includes tours in Sierra Leone, Gabon, Uganda, and Chad.

You are the recipient of multiple performance awards including one for leadership during the West Africa Ebola crisis. You have served under multiple presidents and dedicated yourself to this country's mission.

Your assignments here in D.C. are also highly relevant having worked in the State Department's Office to Combat and Monitor

Trafficking in Persons and later in the Department's Bureau of Intelligence and Research as the Office of Africa analyst director.

As a native of New York, known for its greatness in its proximity to New Jersey, Ms. FitzGibbon attended Hartwick College and earned a master's degree from UC Davis, which is considered the Rutgers of the West.

Ms. Pamela Tremont—Ms. Tremont is nominated to be the U.S. Ambassador to the Republic of Zimbabwe, is also a career member of the senior Foreign Service, and you have again demonstrated patriotism, service, and leadership over the course of your career.

Your most recent posting to the U.S. Embassy in Stockholm included an 18-month stint as the Charge d'Affaires. Ms. Tremont has wide-ranging experience across multiple regions in substantive areas.

She was assigned to the U.S. Embassy in Ukraine and served as Deputy Chief of Mission of the U.S. Embassy in Cyprus. She has not—she has also held positions in Washington related to NATO policy as well as overseas at the U.S. Embassy in Zambia. Ms. Tremont earned degrees from Baylor and the National Defense University.

Mr. Richard Mills—Mr. Richard Mills' 30-year career in the Foreign Service includes tours in challenging security environments, work in sub-Saharan Africa, and experience leading large inter-agency teams.

You are the acting head of mission to Canada and previously served as the U.S. Ambassador to Armenia. Your incredible service of patriotism to your country also includes overseas postings in Lebanon, Malta, Iraq, and the United Kingdom.

Prior to joining the Foreign Service, Mills was an attorney and received a law degree from the University of Texas. Mr. Mills currently serves as U.S. Deputy Representative to the United Nations, where he has a front row seat to witnessing Nigeria's diplomatic clout and its role—and role on the world stage.

As the President's nominee to the U.S. Ambassador to Nigeria, many of us are eager to hear your thoughts on Nigeria's recent elections and how you would work with the new government to advance U.S. interests.

And the final intro, last but definitely not least, Mr. Eric Kneedler nominated to be U.S. Ambassador to Rwanda. You have the fortunate distinction amongst this group of five of not being introduced by me. Congratulations.

Instead, we have up on this screen—I am going to try to do this looking like I am controlling this like an orchestra conductor—we are going to hear from Senator Bob Casey of Pennsylvania.

Roll the tape.

**STATEMENT OF HON. ROBERT P. CASEY, JR.,
U.S. SENATOR FROM PENNSYLVANIA**

Senator CASEY. Chairman Menendez, Ranking Member Risch, and members of the Senate Foreign Relations Committee, thank you for the opportunity to speak in support of the nomination of a fellow Pennsylvanian and devoted civil servant, Eric Kneedler.

Eric, thank you for your willingness to serve. I would also like to thank Mr. Kneedler's family, his wife Kristin, and two children,

Toren and Ella. No one enters public service alone. The commitments of such a role mean public servants' families make sacrifices as well.

The role of Ambassador to Rwanda is a critical diplomatic position for the U.S. Government. As both Rwanda and the United States form more perfect representative and inclusive unions our continued partnership is vital.

The United States is the largest bilateral supporter of Rwanda and the Ambassador plays an important role in ensuring that those U.S. dollars do the most good they can for the Rwandan people.

As Rwanda is one of the Feed the Future program's target countries, Mr. Kneedler will be implementing the Global Food Security Act on the frontlines, fighting the root causes of hunger, poverty, and malnutrition while lifting up communities through agricultural development.

Mr. Kneedler's quarter century of diplomatic experience makes him well equipped to strengthen the U.S.' relationship with Rwanda.

Most recently he served as political counselor, Chief of Mission, and Chargé d'Affaires in nearby Kenya for five years. While serving as charge last October, Mr. Kneedler gave an important speech that made reference to people with disabilities.

At the inclusive Africa Conference, Mr. Kneedler talked about the need to build on the Americans with Disabilities Act and the Convention of Rights of Persons with Disabilities to, quote, "unlock the hidden potential of every person to contribute to a brighter future for Africa," unquote.

Every community from here to Rwanda is better off when people with disabilities are able to fully participate in their communities. Mr. Kneedler's service, his qualifications, and experience have prepared him well to honorably represent U.S. interests abroad and prioritize the human rights of all people, including those with disabilities.

And while his career has required Eric to leave Pennsylvania, Pennsylvania has never left him. Once a week during football season you can find him awake in the middle of the night watching the Steelers.

I strongly support Eric's nomination to be the next U.S. Ambassador to Rwanda and thank you again for the opportunity to speak on his behalf.

Senator BOOKER. I am sorry that he mentioned that you were a Steelers fan. I think you just lost four votes up here.

[Laughter.]

Senator BOOKER. I have to say that Mr.—Senator Hagerty is relieved he is no longer the acting ranking member of this committee hearing. He and I as junior senators now turn it to the far more experienced, the far more senior, the wise sagacious soul that is sitting to my left.

I now bring you the ranking member, former chairman of the Foreign Relations Committee, Senator Risch.

**STATEMENT OF HON. JAMES E. RISCH,
U.S. SENATOR FROM IDAHO**

Senator RISCH. Mr. Chairman, flattery will get you everything. Thank you very much.

Thank you, Mr. Chairman, and I appreciate the merriment we are having here at the beginning with some good interaction. But this is really serious. I mean, this panel is made up of people who are going to very difficult places and I have a few things I want to say on the record before we start and I am going to begin with the nomination of Dr. Murthy to be U.S. Representative to the World Health Organization.

The WHO is a flawed organization and I say that from experience. I dealt with them deeply as the COVID matter started, and the pandemic was difficult, as we all know, at the best and I just simply was not getting out of WHO what I wanted and I think most people saw what was happening there.

The COVID-19 pandemic exposed critical weaknesses in the organization's structure and leadership. It failed to act quickly in response to the COVID-19 outbreak and it yielded—this was the thing that really troubled me—it yielded to the Chinese pressure in stalling the investigation.

I remember I was shocked when I talked to the head of the WHO and asked him how they went about this right at the beginning, and they went to China but they were stuck in a hotel for two weeks before the Chinese would let them get out of their hotel to go look at what was going on and they—WHO has failed to hold China accountable for its lack of transparency.

These failures contributed to the deaths of millions of people around the world. It put politics ahead of human health. The WHO has also been plagued by allegations, as we all know, of sexual exploitation and abuse including in response to the Ebola outbreak in the Democratic Republic of Congo.

These unconscionable acts cannot be swept under the carpet. The WHO employees responsible for these crimes must be fired, banned from future service in the U.N. system, and held personally and criminally liable.

There are apparently discussions going on between the White House regarding some kind of an agreement on the pandemic—on any future pandemic with the WHO.

I am disappointed that the White House has not included me—I do not know if they have included the Democrat members—in these discussions, but our side has not been included in this.

This is incredibly important that Congress be read in on this. We certainly should be asked to approve any agreement that is entered into since it will be a treaty. I introduced a resolution this week that would ensure the Senate gets an appropriate opportunity to consider any such agreement.

The administration should also refrain from increasing U.S. contributions to the WHO without targeted verifiable reforms that ensure the WHO is properly tasked and fully accountable.

If confirmed, you will be responsible to hold the line on these principles.

On the nomination of U.S. Ambassador to Zimbabwe I am appalled by the continued abuses of power, excessive corruption, and

horrific human rights record by the country's leadership. These not only inhibit the U.S.-Zimbabwe relationship but also deprive the region of benefiting from a prosperous Zimbabwe.

With elections expected this summer we already see the Zimbabwean regime taking the country down a dark and familiar path of electoral violence, repression, and impunity.

Our Ambassador must hold firm in the support for the people of Zimbabwe while committing to uphold U.S. values on human rights and democracy and engaging the Zimbabwean Government.

I look forward to hearing how Ms. Tremont plans to—Ms. Tremont plans to do this.

On the nomination of U.S. Ambassador to Rwanda, this is always an important job on the continent but even more so now that the U.S. has critical priorities where Rwanda can either be a constructive partner or an unhelpful constraint.

Important issues include the regional conflict in eastern Congo and the reengagement of M-23 and other rebel groups, the Rwandan Government's detention of U.S. permanent resident and recipient of the Presidential Medal of Freedom, and also Rwanda's role in helping to stabilize northern Mozambique and Central African Republic.

I am keen to hear from Mr. Kneedler about how he will confront the challenges while shaping a U.S. policy in Rwanda that requires greater clarity and direction.

Moving on to the nomination of U.S. Ambassador to Niger, Ms. FitzGibbon's most recent experience as chief deputy—or excuse me, as deputy chief of mission in Nigeria is probably the best preparation one could get for this role.

Both countries battle significant insurgent threats, are essential U.S. security partners, and face severe challenges to democracy, which can be overcome with commitment and support.

The situation in the Sahel has deteriorated dramatically in the last few years, particularly with the coup in Mali and Burkina Faso and the entry of Russian-backed Wagner Group into Mali.

I look forward to hearing how Ms. FitzGibbon will support the U.S.-Niger security relationship while being a visible proponent for developing resilient democratic institutions in Niger.

Finally, the nomination of U.S. Ambassador to Nigeria—this country is undergoing a rapid transformation. We must commit to working with Nigeria to capitalize on opportunities to build its economy and democracy while confronting significant challenges like insecurity.

Elections in Nigeria always serve as a vital test for Nigeria's democracy and have a lasting impact on the region. While the result of last Saturday's presidential election was announced today, it is clear that many of the technical and institutional challenges that have previously plagued Nigerian elections continued into this process.

It is critical that Nigeria finds a path forward that serves the will of the Nigerian people.

Mr. Mills, if confirmed, will need to lead U.S. efforts in Nigeria to support the development of strong democratic institutions including political parties.

Lastly, the human rights record of Nigeria's military gives us pause about how we provide the country with much needed security assistance. Nigeria's partnership with the U.S. must include lasting solutions to seemingly unending human rights abuses. I look forward to hearing how Mr. Mills plans to approach these issues.

So, again, I come back, Mr. Chairman, to the fact that this is a panel made up of very qualified people to take these issues on. I am keen to hear from them how they are going to do that.

We do not often see a panel with as many challenges collectively as all of you have. But we hope you are up to the task. Thank you for taking this on.

Thank you, Mr. Chairman.

Senator BOOKER. No, Mr. Ranking Member, thank you for your opening remarks and for your insights into these challenges as well as your affirmation of the qualities of the people before me.

We are now going to open for opening testimonies. We are going to start with Dr. Murthy. Then we are going to go to Ms. FitzGibbon, then Mr. Kneeder, then Ms. Tremont, and then the mighty Mr. Mills.

I am going to have to run to the floor to vote. Should we get done with the opening testimony before I return—I doubt that will happen—you are very fortunate because the acting Chairman of this committee will be the former Chairman of the entire Foreign Relations Committee, a dear friend who also I am stuck between, unlike the Rutgers University between Harvard and Princeton here. So—

Senator RISCH. Who is Harvard and who is Princeton?

Senator BOOKER. Sir, you are whoever you want to be.

[Laughter.]

Senator BOOKER. But I will direct Dr. Murthy to please begin with your opening statement, sir, and to please take no disrespect from me turning my back on you and walking out.

Dr. MURTHY. It is all good. I appreciate that.

Senator BOOKER. All right.

STATEMENT OF DR. VIVEK HALLAGERE MURTHY, OF FLORIDA, NOMINATED TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION

Dr. MURTHY. Chairman Booker, Ranking Member Risch, and distinguished members of the committee, I am deeply honored for the opportunity to appear before you today as the President's nominee to serve as the Representative of the United States to the Executive Board of the WHO.

I would not be here today if it were not for the love and support of my wife and best friend, Alice Chen, my children, Teyjas and Shanthy, my sister and brother-in-law, Rashmi and Amit, my grandmother, Sarojini, and especially my parents, Hallegere and Myetraie Murthy.

It was my father and mother who inspired me to become a doctor and to enter public service. I spent afternoons after school and on weekends in the small clinic that they ran in Miami, Florida. I was greeting patients and watching my parents at work.

Over time I came to see that healing was about more than diagnoses made and medicines prescribed. It was also about building relationships and empowering people with the tools necessary to keep themselves and their families healthy.

Through their words and actions my parents taught me that health is the most important investment that we can make. It is the foundation for prosperity and happiness, and I came to see that this was true not only for individuals but also for communities, nations, and for the world.

This lesson became the foundation of my career in medicine and in public health. Nearly 30 years ago, it inspired me to launch VISIONS, an organization focused on HIV/AIDS prevention, that organized youth-led workshops and trained students to be educators and community leaders.

It is a lesson that guided me when launching the Swasthya Community Health Partnership in rural India, which trained local young women to be community health workers and community leaders.

It has informed the way I have cared for patients and their families over the years, and the lesson from my parents has also guided my work as Surgeon General. Over two terms I have had countless conversations with fellow Americans to learn about their health concerns and needs. I have worked to advance solutions to opioid addiction, tobacco-related disease, mental illness, and other public health challenges.

I have had the privilege of working with community organizations, government leaders of all levels and from both parties, and countless Americans to address global health threats that have impacted the United States from Ebola and Zika to COVID-19.

My experiences dealing with domestic and global health matters have made it clear to me that the health of Americans requires effective partnership and coordination with the rest of the world to ensure the early detection, rapid response, and containment of public health threats.

This is a place where the World Health Organization has a vital role to play and the United States must ensure that the WHO plays this role effectively. That is why my top priorities for this position, if confirmed, are strong governance at the WHO and making sure we are better prepared for the next pandemic.

Now, given this significant longstanding investment in the WHO by the United States we have both the ability and the responsibility to demand clarity, transparency, and accountability in all WHO operations.

That includes ensuring that the WHO uses its position to help build stronger and more resilient health systems around the world, that its approach to public health threats is rapid and robust, that resources are used responsibly and that decision making is transparent.

It also means demanding that the WHO workforce be held to the highest ethical standards and that there is a zero tolerance policy for abuse and exploitation that is enforced.

Ensuring we are better prepared for the next pandemic will ensure the WHO—will require the WHO to see that the lessons of COVID-19 and prior infectious disease threats are in fact reflected

in a clear strategy for addressing future pandemics including effective surveillance and detection, rapid response, and sustained efforts to support recovery.

It will also require successful engagement on negotiations currently underway to strengthen the international health regulations and develop a new pandemic accord to address broader gaps in pandemic preparedness.

An effective WHO can help the world address not only future pandemics but also ongoing public health challenges from maternal mortality, HIV/AIDS, tuberculosis and malaria, to noncommunicable diseases and mental illness, which are robbing more and more people of their health, productivity, and fulfillment.

Mental health is an area that I have focused on during my tenure as surgeon general. It has become a global crisis and I believe the United States is uniquely positioned to provide the empathetic, thoughtful, and urgent leadership that this issue demands.

If I had the privilege of serving as U.S. Representative to the WHO Executive Board, it is my intention to strengthen America's voice and leadership on mental health on the world stage.

I recognize this is a time of great challenge for America and the world when it comes to health. But I also believe we have a window of opportunity to strengthen our institutions and processes so we are more prepared than before COVID-19 and that is my guiding principle.

I hope to have the opportunity to do so as U.S. Representative to the WHO Executive Board, working hand in hand with partners in Congress and across the administration.

I thank you for your consideration of my nomination and I look forward to your questions.

[The prepared statement of Dr. Murthy follows:]

PREPARED STATEMENT OF DR. VIVEK HALLAGERE MURTHY

Chairman Booker, Ranking Member Risch, distinguished members of the committee—I'm deeply honored by the opportunity to appear before you today as President Biden's nominee to serve as Representative of the United States on the Executive Board of the World Health Organization.

I would not be here today were it not for the love and support of my wife and my best friend, Dr. Alice Chen; my children, Teyjas and Shanthi; my sister, Rashmi and brother-in-law Amit; my grandmother Sarojini; and especially my parents, Hallegere and Myetraie Murthy.

It was my father and mother who inspired me to become a doctor and to enter public service. I spent afternoons after school and on weekends in the small clinic they ran in Miami, greeting patients and watching my parents at work. Over time, I came to see that healing was about more than diagnoses made and medicines prescribed; it was also about building relationships and empowering people with the tools necessary to keep themselves, and their families, healthy.

Through their words and actions, my parents taught me that health is the most important investment we can make—it is the foundation for prosperity and happiness. I came to see that this was true not only for individuals, but for communities, for nations, and for the world.

This lesson became the foundation of my career in medicine and public health. Nearly 30 years ago, it inspired me to launch VISIONS, an organization focused on HIV/AIDS prevention that organized youth-led education workshops and trained students to be educators and community leaders. It's the lesson that guided me when launching the Swasthya Community Health Partnership in rural India, which trained local young women to be community health workers and community leaders. It informed the way I have cared for patients and their families over the years.

And the lesson from my parents has guided my work as Surgeon General. Over two terms, I've had countless conversations our fellow Americans to learn about

their health concerns and needs. I've worked to advance solutions to opioid addiction, tobacco-related disease, mental illness, and other public health challenges. And I've worked with community organizations, government leaders at all levels and from both parties, and countless Americans to address global health threats that have impacted the United States, from Ebola and Zika to COVID-19.

My experiences dealing with domestic and global health matters have made clear to me that the health of Americans requires effective partnership and coordination with the rest of the world, to ensure early detection, rapid response, and containment of public health threats. This is a place where the World Health Organization has a vital role to play. And the United States must ensure that the WHO plays this role effectively.

That's why my top priorities for the position, if confirmed, are strong governance at the WHO and making sure we're better prepared for the next pandemic. Given the significant, decades-long investment in the WHO by the United States, we have the ability and the responsibility to demand clarity, transparency, and accountability in all WHO operations. That includes ensuring that the WHO uses its position to help build stronger and more resilient health systems around the world, that its approach to public health threats is rapid and robust, that resources are used responsibly, and that decision-making is transparent. It also means demanding that the WHO workforce be held to the highest ethical standards, and that there is zero tolerance for abuse and exploitation.

Ensuring we are better prepared for the next pandemic will require the WHO to see that the lessons of COVID-19 and prior infectious disease threats are reflected in a clear strategy for addressing future pandemics, including effective surveillance and detection, rapid response, and sustained efforts to support recovery. It also will require successful engagement on negotiations currently underway to strengthen the International Health Regulations and develop a new pandemic accord to address broader gaps in pandemic preparedness.

An effective WHO can help the world address not only future pandemics, but also ongoing public health challenges, from maternal mortality, HIV/AIDS, tuberculosis, and malaria to noncommunicable diseases and mental illness, which are robbing more and more people of their health, productivity, and fulfillment. Mental health is an area I have focused on during my tenure as Surgeon General. It has now become a global crisis. I believe the United States is uniquely positioned to provide the empathetic, thoughtful, and urgent leadership that this issue demands.

If I have the privilege of serving as U.S. Representative to the WHO Executive Board, it is my intention to strengthen America's voice and leadership on mental health on the world stage.

I recognize that this is a time of great challenge for America and the world when it comes to health. But I also believe that we have a window of opportunity to strengthen our institutions and processes so we are more prepared than before COVID-19. That is my guiding principle. I hope to have the opportunity to do so as U.S. Representative to the WHO Executive Board, working hand-in-hand with partners in Congress and across the Administration.

Thank you for your consideration of my nomination. I look forward to your questions.

Senator CARDIN [presiding]. We are going to have a roving chairmanship here until our Chairman gets back.

Ms. FitzGibbon?

STATEMENT OF KATHLEEN A. FITZGIBBON, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINATED TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER

Ms. FITZGIBBON. Thank you.

Mr. Acting Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you today as President Biden's nominee to be the next Ambassador to the Republic of Niger.

I deeply appreciate the confidence and trust that the President and the Secretary of State have shown in nominating me for this position and I thank you for your consideration.

If confirmed, I look forward to working with Congress to advance our interests in Niger.

My family members could not be here with me today but because of their support I am sitting before this committee. My father, sisters and brothers, aunts and uncles and cousins, are all watching from Bills country in western New York, Virginia, and family outposts in North Carolina and Washington State, and my colleagues in Africa are, watching represented here by Katie Donohoe from Team Nigeria, and then I also have behind me my desk officer from Team Niger. So I am going to be traded from one team to the other, if confirmed.

My mother and sister are no longer here with us but they were important players in my story. My commitment to sub-Saharan Africa began as a Hartwick College intern at INTERACTION where I worked with nongovernmental organizations and the Select Committee on Hunger, mustering support for the Ethiopian famine in 1984.

This motivated my academic focus on African politics and development at the University of California at Davis and teaching African politics at Mary Washington College in Fredericksburg, Virginia.

These experiences enabled me to springboard into diplomatic service, which was a lifelong dream which seemed far out of reach from my small working-class town of Caledonia, New York.

I started my State Department career as a civil service officer and then converted into the Foreign Service thanks to a program initiated by Secretary Powell to make our diplomatic face abroad look more like America.

My dream job has allowed me to be a participant in historic junctures in Nigeria, Chad, Uganda, Sierra Leone, Gabon, and Sao Tome and Principe. These assignments built my experience in security and counterterrorism, conflict resolution, refugee and migration affairs, trafficking in persons, human rights, democratic reforms, and commercial advocacy, as well as humanitarian and health diplomacy.

I led interagency teams that managed U.S. Government resources as deputy chief of mission in Gabon, Sierra Leone, Nigeria, and as charge d'affaires for a year in Sierra Leone during the West Africa Ebola crisis.

In these positions I mentored our next generation of diplomats so they too could have the skills they need to succeed.

I also take very seriously my responsibility to protect American citizens overseas. Serving in Africa, I coordinated military and law enforcement activities during numerous situations of political unrest, terrorist threats, and kidnapping for ransom. In 2020, I secured Nigerian permission for a successful cross border rescue of an American hostage.

If confirmed, I will make use of these rich experiences to reinforce the strong partnership between Niger and the United States. Niger faces major terrorist threats on multiple borders and is a critical partner in our efforts to combat violent extremism and in

strengthening democratic governance and adherence to international humanitarian law in West Africa.

It is a linchpin of our rebalance stabilization strategy for the Sahel that seeks governance solutions to the security problems plaguing Niger and its neighbors. Our objective is to address Niger's many development deficits while strengthening its military capacity to restore the security necessary to defeat the terrorists on and within its borders.

If confirmed, I will lead our interagency team's efforts to enhance the Government's delivery of critical services in health, education, agriculture, food security, and the rule of law. Through these efforts I will seek to deepen Niger's democracy, provide economic opportunity, and deny violent extremist organizations the ability to recruit neglected youth.

Fundamental to our assistant strategy is the promotion and respect for human rights and humanitarian principles for which I will be a relentless advocate.

Early in my career female activists told then Secretary Albright that in Africa poverty has a woman's face. These words resonate as a sobering reality in Niger. I look forward to working with President Bazoum, who is prioritizing the betterment of women and girls as a major pillar of the country's economic development plan.

Our USAID mission, which opened up after a 22-year absence, is a critical player in our whole-of-government approach to investing in Nigerian people, especially women and girls.

This long-term investment will require buy in from Niger's political class, a challenge that I will gladly take up, although I also understand local absorptive capacity could limit the pace of our progress.

Finally, I will support inclusive democratic processes and transparency to strengthen the foundation of governance necessary to meet the aspirations of Niger's youthful population.

Senators, the United States has an important role and stake in helping Niger succeed in its uphill battle. If confirmed, I look forward to leading U.S. Government efforts to consolidate Niger's democratic gains and create a secure environment in which Nigeriens can prosper.

Close coordination and consultation with Congress will be essential to achieving these goals.

Mr. Acting Chairman and Mr. Ranking Member, thank you for the opportunity to be here before you today and I look forward to your questions.

[The prepared statement of Ms. FitzGibbon follows:]

PREPARED STATEMENT OF KATHLEEN A. FITZGIBBON

Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you as President Biden's nominee for United States Ambassador to the Republic of Niger. I deeply appreciate the confidence and trust the President and Secretary of State have shown in nominating me for this position. Thank you for your consideration and if confirmed, I look forward to working with Congress to advance our interests in Niger. My family members could not be here today, but because of their support, I am sitting before this committee. My father, sisters and brothers, aunts, uncles, and cousins are watching from Bills country in Western New York and our family outposts in North Carolina and Washington State. My mother and sister are no longer with us, but they also were important players in my story.

My commitment to sub-Saharan Africa began as a Hartwick College intern at INTERACTION, where I worked with non-governmental organizations and the Select Committee on Hunger mustering support during the Ethiopian famine in 1984. This motivated my academic focus on African politics and development at the University of California at Davis and teaching African politics at Mary Washington College. These experiences enabled me to springboard into diplomatic service, which was a lifelong dream that seemed out of reach from my small, working-class town of Caledonia, New York. I started my State Department career as a civil service officer and then converted into the Foreign Service, thanks to a program initiated by Secretary Powell to make our diplomatic face abroad look more like America.

My dream job has allowed me to be a participant at historic junctures in Nigeria, Chad, Uganda, Sierra Leone, Gabon, and Sao Tome and Principe. These assignments built my expertise on security and counterterrorism, conflict resolution, refugee and migration affairs, trafficking in persons, human rights, democratic reforms, commercial advocacy, as well as humanitarian and health diplomacy. I led interagency teams and managed U.S. Government resources as Deputy Chief of Mission in Gabon, Sierra Leone, and Nigeria and as the Charge d'Affaires for a year in Sierra Leone during the West African Ebola crisis. In these positions, I mentored our next generation of diplomats so they could have the skills they need to succeed.

I also take very seriously my responsibility to protect U.S. citizens overseas. Serving in Africa, I coordinated military and law enforcement activities during numerous situations of political unrest, terrorist threats, and kidnapping-for-ransom cases. In 2020, I secured Nigerian permission for a successful cross-border rescue of an American hostage.

If confirmed, I will make use of these rich experiences to reinforce the strong partnership between Niger and the United States of America. Niger faces major terrorist threats on multiple borders and is a critical partner in our efforts to combat violent extremism and in strengthening democratic governance and adherence to international humanitarian law across West Africa. It is a linchpin in our re-balanced stabilization strategy for the Sahel that seeks governance solutions to the security problems plaguing Niger and its neighbors. Our objective is to address Niger's many development deficits while strengthening its military capacity to restore the security necessary to defeat terrorists on and within its borders. If confirmed, I will lead our interagency team's efforts to enhance the Government's delivery of critical services in education, health, agriculture, food security, and the rule of law. Through these efforts, I will seek to deepen Niger's democracy, provide economic opportunity, and deny violent extremist organizations the ability to recruit neglected youths. Fundamental to our assistance strategy is the promotion of respect for human rights and humanitarian principles, for which I will be a relentless advocate.

Early in my career, female activists told then-Secretary Albright that "in Africa, poverty has a woman's face." These words resonate as a sobering reality in Niger. I am looking forward to working with President Bazoum, who is prioritizing the betterment of women and girls as a major pillar of the country's economic development plan. Our USAID mission, which reopened after a 22-year absence, is a critical player in our whole-of-government approach to investing in the Nigerien people, especially women and girls. This long-term investment will require buy-in from Niger's political class, a challenge that I will gladly take up though I also understand that local absorptive capacity may limit the pace of our progress. Finally, I will support inclusive democratic processes and transparency to strengthen the foundation of governance necessary to meet the aspirations of Niger's youthful population.

The United States has an important role and stake in helping Niger succeed in its uphill battle. If confirmed, I look forward to leading U.S. Government efforts to consolidate Niger's democratic gains and create a secure environment in which Nigeriens can prosper. Close coordination and consultation with Congress will be essential to achieving these goals.

Mr. Chairman, Ranking Member, thank you for the opportunity to appear before you today. I look forward to your questions.

Senator KAINE [presiding]. Thank you very much.
Mr. Kneeder?

STATEMENT OF ERIC W. KNEEDLER, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINATED TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF RWANDA

Mr. KNEEDLER. Acting Chairman, Ranking Member, distinguished members of the committee—and a special thank you to Senator Casey for the very kind introduction—it is a tremendous honor and privilege to appear before you today as President Biden’s nominee to be the U.S. Ambassador to the Republic of Rwanda.

I am grateful to President Biden and Secretary Blinken for their confidence and trust and, if confirmed, I look forward to working with the committee and other members of Congress to strengthen the bilateral relationship for the benefit of both of our countries.

Before I begin I would like to take a moment to thank my wife, Kristin, who is also a U.S. diplomat and is with me here today along with her sister, Kelly, for her unwavering support and partnership throughout our Foreign Service journey.

It has been a true team effort from the beginning, and I would also like to thank our son, Toren, and daughter, Ella, for weathering the many moves and disruptions to their lives, mostly with good humor and a sense of adventure.

I also want to thank my parents, Dick and Suzette, who are tuning in from Florida and taught me the importance of hard work and public service. I would like to thank my sister, Rebecca, as well who is watching in Arkansas, in addition to my Aunt Rebecca.

I am also grateful for the support of friends across the country and around the globe and to the many State Department colleagues with whom I have had the pleasure of serving, particularly our locally employed staff, friends, who keep our missions running. Thank you.

As this committee is well aware, this is an important moment in our relationship with Rwanda. There are significant ways in which U.S. and Rwandan policy views diverge.

As Secretary Blinken noted during his visit to Kigali earlier this year, or last year, the United States has concerns about the human rights climate in Rwanda and believes citizens in every country should be able to express their views without fear of intimidation, imprisonment, violence, or any other forms of repression.

I would like to underscore that support for democracy, respect for human rights, and the rule of law remain cornerstones of U.S. policy in Rwanda. If confirmed, I will work tirelessly to promote freedom of expression, democratic governance, and access to justice, just as I have done at every stop of my 24-year career, including most recently as the charge d’affaires at our Embassy in Nairobi.

Since November of 2021 the violence in eastern Democratic Republic of the Congo has caused significant human suffering. We appreciate Rwanda’s engagement in the Nairobi and Rwanda processes, and urge Rwanda and all signatories to abide by the commitments in the November 23 Luanda communique.

Given the legacy of the Rwandan genocide, we strongly condemn anti-Rwandaphone hate speech and any collaboration with armed groups which espouse genocide ideology. As we have noted publicly

in various fora, however, there is evidence Rwanda has provided support to the U.N.- and U.S.-sanctioned M-23 armed group responsible for much of the recent violence, and consistent with the Luanda communique we call for an end to that support.

If confirmed, I will use every tool at my disposal to help deescalate tensions, promote respect for sovereignty and territorial integrity, and assist ongoing African-led mediation efforts.

At the same time, the United States and Rwanda share many global, regional, and local priorities and we have a broad partnership with the people of Rwanda. If confirmed, I would work to advance our cooperation with the Government and people of Rwanda in many of these areas, including global health security, the economic and commercial relationship, environmental and climate issues, and peacekeeping.

We are also now seeing the benefits of our decades of assistance helping Rwanda to strengthen its public health system. For example, Rwanda rapidly achieved one of the world's highest COVID-19 vaccination rates, in part due to this longstanding assistance and the U.S. donation of over 7 million vaccine doses in partnership with COVAX.

In addition, the United States and Rwanda have worked together to combat malaria and HIV/AIDS. If confirmed, I look forward to building on these successes and advancing our shared health priorities.

U.S. business interests in Rwanda are also expanding, with private U.S. investment increasing in key sectors including energy, water treatment, and telecommunications. Informal university partnerships also continue to grow between our two countries, and the only American research university with a full time faculty and operations in Africa plans to expand opportunities at its Kigali campus.

Meanwhile, over 1,200 Rwandans studied in the United States during the last academic year and 2,500 Rwandans are alumni of U.S. Government-sponsored exchange programs. If confirmed, I will look for ways to advance U.S. values and promote our shared interests.

Mr. Chairman, Ranking Member, members of the committee, thank you for the opportunity to appear before you today and I look forward to your questions.

PREPARED STATEMENT OF ERIC W. KNEEDLER

Mr. Chairman, Ranking Member, and distinguished members of the committee: It is a tremendous honor and privilege to appear before you today as President Biden's nominee to be the U.S. Ambassador to the Republic of Rwanda. I am grateful to President Biden and Secretary Blinken for their confidence and trust, and if confirmed, I look forward to working with the committee and other Members of Congress to strengthen the bilateral relationship for the benefit of both of our countries.

Before I begin, I would like to take a moment to thank my wife Kristin, who is also a U.S. diplomat, for her unwavering support and partnership throughout our Foreign Service journey. It has been a true team effort from the beginning. I would also like to thank our son Toren and daughter Ella for weathering the many moves and disruptions to their lives mostly with good humor and a sense of adventure. I also want to thank my parents Dick and Suzette, who are tuning in from Florida, and taught me the importance of hard work and public service. I'd like to thank my sister Rebecca as well, who is watching in Arkansas, in addition to my Aunt Rebecca. I am also grateful for the support of friends across the country and around the globe. And to the many State Department colleagues with whom I have had the

pleasure of serving, particularly locally employed staff friends who keep our missions running—thank you.

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U.S. business interests in Rwanda are also expanding, with private U.S. investment increasing in key sectors including energy, water treatment, and telecommunications. Informal university partnerships also continue to grow between our two countries, and the only American research university with a full-time faculty and operations in Africa plans to expand opportunities at its Kigali campus. Meanwhile, over 1,200 Rwandans studied in the United States during the last academic year, and 2,500 Rwandans are alumni of U.S. Government sponsored exchange programs. If confirmed, I will look for ways to advance U.S. values and promote our shared interests.

Mr. Chairman, Ranking Member, and members of the committee, thank you for the opportunity to appear before you today. I look forward to your questions.

Senator BOOKER [presiding]. Thank you very much for that opening statement.

We will now move on to Ms. Tremont.

STATEMENT OF PAMELA M. TREMONT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, NOMINATED TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE

Ms. TREMONT. Mr. Chairman, Ranking Member, distinguished members of this committee, it is the greatest honor of my 30-year diplomatic career to appear before you today as President Biden’s nominee to be the next U.S. Ambassador to the Republic of Zimbabwe.

I am profoundly grateful to the President and Secretary Blinken for entrusting me with this tremendous responsibility.

This nomination is a culmination of my family's public service to the American people. My parents, Linn and Jan Danielski, who are just behind me, instilled in me a spirit of public service through my father's 28-year Army career.

They and my sister Stacey encouraged my dreams when at the age of 16 I announced my future was in the U.S. Foreign Service. But I am particularly indebted to my best friend and husband of 31 years—to this side—Eric Tremont, who has always prioritized me and our family above himself. I would not be here today without him and our 17-year-old son, Peyton, who has served alongside us in five countries and who was one of the last Eagle Scouts out of Troop 980 in Kyiv, Ukraine. He is undoubtedly watching from the ski slopes in Europe, although he should be studying physics.

[Laughter.]

Ms. TREMONT. My family's values and the support of many dear friends have been crucial along this journey and they inspire me every day to seek diplomatic solutions to global challenges.

Mr. Chairman and members of the committee, along that journey I have been privileged to represent the United States in eight countries across three continents, including seven years working on Southern African affairs.

The common thread among people everywhere is a desire for representative governance that respects their human rights and offers them economic opportunity free from corruption and supported by rule of law. In a word, they want dignity, and I firmly believe the Zimbabwean people want and deserve that, too.

Throughout my career I have promoted these foundational values by supporting electoral assistance in countries such as Comoros, Zambia, and Ukraine, where I headed electoral assistance to the 2019 presidential election just months after Russia attacked Ukrainian ships, which ushered in a period of martial law.

Our assistance gave Ukrainians confidence in the electoral system to elect the leader of their choice. This year Zimbabweans will go to the polls for the second time in the post-Mugabe period. Zimbabwe's constitution guarantees its citizens the right to choose their leaders through free and fair elections, to participate in political parties and organizations, and to campaign freely and peacefully.

But too often Zimbabweans have been denied these rights and I share the committee's concerns over the increasing instances of political violence, intimidation, and lawlessness.

The Government of Zimbabwe has an opportunity to uphold its own constitution and deliver on President Mnangagwa's yet to be realized commitment of peaceful democratic electoral processes.

If confirmed, I will actively work to support the democratic aspirations of the Zimbabwean people and I will seek partnership with those in Zimbabwe who are doing the same.

The U.S. commitment to the Zimbabwean people is clear. Since we recognized the new state of Zimbabwe immediately after independence in 1980 the U.S. Government has invested more than \$4.5 billion in humanitarian aid and development assistance to the Zimbabwean people.

Millions of Zimbabweans are alive today because of the PEPFAR program. Yet, the potential of the Zimbabwean people is stymied by corruption, economic mismanagement, and a lack of investment in human capital that have undermined this former breadbasket of Africa, the home of Great Zimbabwe.

If confirmed, I will work with this committee to promote economic reform, rule of law, transparency, and women's empowerment to unleash Zimbabwe's economic potential and offer opportunities to U.S. business. Together we can address poverty and food insecurity in Zimbabwe and the entire region.

My highest priority will be the safety and security of Americans in Zimbabwe including the Embassy staff and our local staff who have come under increasing pressure as a result of their employment with us.

My leadership touchstone has always been that diverse teams properly resourced in a secure environment can do anything and I have always confronted harassment and discrimination head on.

If confirmed, I will carefully steward U.S. resources, hold my team to the highest possible standard, protect them at all costs, and empower them to work with Zimbabweans who share our goal of peaceful democratic nations working together to overcome global challenges.

Thank you for your consideration and I look forward to your questions.

[The prepared statement of Ms. Tremont follows:]

PREPARED STATEMENT OF PAMELA M. TREMONT

Mr. Chairman, Ranking Member, distinguished members of the committee, it is the greatest honor of my 30-year diplomatic career to appear before you today as President Biden's nominee to be the next U.S. Ambassador to the Republic of Zimbabwe. I am profoundly grateful to the President and Secretary Blinken for entrusting me with this tremendous responsibility.

This nomination is a culmination of my family's service to the American people. My parents, Linn and Jan Danielski, instilled in me a spirit of public service through my father's 26-year Army career. They and my sister Stacey encouraged my dreams when, at 16, I announced my future was in the U.S. Foreign Service. But I am particularly indebted to my best friend and husband of 31 years, Eric Tremont, who has always prioritized me and our family over himself. I would not be here today without him and our 17-year-old son Peyton, who has served alongside us in five countries and was one of the last Eagle Scouts out of Troop 980 in Kyiv. He is undoubtedly watching from Europe, where he goes to school. My family's values and the support of many dear friends have been crucial in this journey, and they inspire me every day to seek diplomatic solutions to global challenges.

Mr. Chairman and members of the committee, along that journey I have been privileged to represent the United States in eight countries across three continents, including seven years working on southern African issues. The common thread among people everywhere is a desire for representative governance that respects their human rights and offers economic opportunity free from corruption and supported by rule of law. In a word, they want dignity. I firmly believe the Zimbabwean people want and deserve this too. Throughout my career, I have promoted these foundational values, including through U.S. electoral assistance programs in the Comoros, Zambia, and Ukraine, where I coordinated U.S. assistance for the 2019 Ukrainian presidential election just months after Russia's attack on Ukrainian ships ushered in a period of martial law. Our assistance gave Ukrainians confidence in the process to elect the leader of their choice.

This year, Zimbabweans will go to the polls for the second time in the post-Mugabe period. Zimbabwe's constitution guarantees its citizens the right to choose their leaders through free and fair elections, to participate in political parties or organizations, and to campaign freely and peacefully. Too often Zimbabweans have been denied these rights, and I share the Committee's concerns over the increasing

instances of political violence, lawlessness, and intimidation. The Government of Zimbabwe has the opportunity to uphold its own constitution and deliver on President Mnangagwa's yet-to-be-realized commitment to a peaceful, democratic electoral process. If confirmed, I will actively work to support the democratic aspirations of those advocating for Zimbabwean's constitutional rights, and I will seek partnership with all those in Zimbabwe who are doing the same.

The U.S. commitment to the Zimbabwean people is clear. Since we recognized the new state of Zimbabwe immediately after independence in 1980, the U.S. Government has invested more than \$4.5 billion dollars in humanitarian and development assistance for Zimbabweans. Millions of Zimbabweans are alive today because of the PEPFAR program. Yet the potential of the Zimbabwean people is stymied by corruption, economic mismanagement, and a lack of investment in human capital that have undermined this former breadbasket of Africa, home of Great Zimbabwe. If confirmed, I will work with this committee to promote economic reform, rule of law, transparency, and women's empowerment to unleash Zimbabwe's economic recovery and offer opportunities for U.S. business. Together we can address poverty and food insecurity in Zimbabwe and the region.

My highest priority will be the safety and security of American citizens and the very talented Embassy staff, including our local staff who have performed admirably under pressure stemming from their employment with us. My leadership touchstone has always been that diverse teams can do anything when properly resourced in a secure and respectful environment, and I have always confronted harassment and discrimination head-on. If confirmed, I will carefully steward U.S. resources, hold my team to a high standard, protect them at all costs, and empower them to work with partners in Zimbabwe who share our vision of peaceful, democratic nations working together to overcome global challenges.

Thank you for your consideration, and I look forward to your questions.

Senator BOOKER. Thank you for that very strong opening statement.

I would like to now turn to the mighty Mr. Mills.

**STATEMENT OF THE HON. RICHARD MILLS, JR., OF GEORGIA,
A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE,
CLASS OF MINISTER-COUNSELOR, NOMINATED TO BE AM-
BASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF
THE UNITED STATES OF AMERICA TO THE FEDERAL REPUB-
LIC OF NIGERIA**

Mr. MILLS. Thank you, Mr. Chairman. Thank you, Ranking Member Risch and other members of the committee. It is an honor to appear before this committee once again as a nominee to represent the United States as one of her Ambassadors.

I am joined today by my better half, my wife, Leigh, who knows well the challenges and the satisfactions of diplomatic service, having served herself for three decades as a Foreign Service officer. I am very thankful that if I am confirmed she will be with me in Abuja.

Senator BOOKER. And forgive me for the unorthodox interruption, but where is your wife from, for the record?

Mr. MILLS. Good question. New Jersey, I believe.

[Laughter.]

Mr. MILLS. I would also like to recognize my parents who are not from New Jersey but whose influence definitely inspired me to join the Foreign Service. They are not here with me today but they are with me in spirit.

Like others on this panel I am very grateful to President Biden and Secretary Blinken for the trust and the confidence they have shown in nominating me for this position.

If confirmed for this challenging job I will draw upon the experiences and skills gained from my 35-year career in the Foreign

Service, experience which Senator Booker has shared with the committee.

Committee members, Mr. Chairman, this is a unique moment for U.S.-Nigerian relations and for Nigeria as a whole. President Buhari is stepping down after his constitutionally limited two terms.

As Senator Booker has already referenced, overnight Bola Tinubu was declared the winner of the election. I and the U.S. Government congratulate the people of Nigeria, President-elect Tinubu, and all political leaders on this competitive election.

While I understand that many Nigerians and some of the parties have expressed frustration about certain aspects of how the process was conducted, there are well established mechanisms in place to adjudicate electoral disputes and the U.S. Government and I certainly encourage anyone seeking to challenge the outcome to use those mechanisms.

We call on all parties, candidates, and supporters to continue to avoid any inflammatory rhetoric during this period.

Going forward, this new government will be faced with many challenges, some of which Senator Risch has identified—how to beat back the threat from ISIS, Boko Haram, and other criminal elements in Nigeria, how to reduce intracommunal strife in the country that has claimed the lives of far too many Nigerian Christians and Muslims, and how to harness Nigeria's vast oil wealth to improve the lives of its citizens.

If confirmed, I am committed to leveraging all elements of American diplomacy and foreign assistance to help Nigeria and its new government tackle these goals.

A top U.S. priority and one for me will be combating the insecurity that plagues the Nigerian people with nearly all the country's 36 states experiencing some level of violence. From terrorism in the northeast and elsewhere to criminal attacks in the Niger Delta to piracy off the coast, crime and insecurity are nationwide problems.

If confirmed, I will continue our efforts to work with the Nigerian Government to help professionalize its security services in order to create a professional Nigerian military and police force that respects human rights, can protect civilians, and hold those who do commit abuses to account.

Finally, Nigeria is an important economic partner for the United States with over \$10 billion in two-way trade between our nations, and the Nigerian economy itself, while still primarily reliant on oil, is increasingly diversified and as the largest in Africa offers real opportunities for mutually beneficial trade.

I look forward to leveraging the ingenuity of the American private sector as well as our own Nigerian diaspora community here in the United States to continue to improve the economic relationship between our two countries.

Let me end by saying for all this wealth from resources and trade I know too little of it makes its way down to the average Nigerian. Illegal oil bunkering and criminality in the Niger Delta limits the ability of Nigeria to benefit from its natural resources, and endemic corruption throughout the country further limits the ability of all Nigerians to profit from their nation's wealth.

If confirmed, I will continue to press the Nigerian Government to tackle corruption and improve the rule of law.

Mr. Chairman, Ranking Member, members of the committee, when I appeared before this committee eight years ago to be confirmed as the U.S. Ambassador to Armenia I committed to working transparently with committee members to advance American interests in Armenia and overseas. I renew that commitment to you and your staffs today and I look forward to your questions.

Thank you.

[The prepared statement of Mr. Mills follows:]

STATEMENT OF HON. RICHARD MILLS, JR.

Mr. Chairman, Ranking Member, and distinguished members of the committee: It is an honor to appear before this committee once again as a nominee to represent the United States as one of her Ambassadors. I am joined today by my wife, Leigh, who knows well the challenges of diplomatic service having served for three decades as a foreign service officer herself. I am grateful that, if I am confirmed, she will be with me in Abuja. I would also like to recognize my parents, whose influence inspired me to join the Foreign Service. Although they cannot be here with me today, they are with me in spirit.

I am grateful to President Biden and Secretary Blinken for the trust and confidence they have shown in nominating me for this position. If confirmed, I will draw upon the experiences of my 35-year career in the foreign service.

As Chargé at Mission Canada, I sharpened my skill at coordinating policy and consistent public messaging among the many U.S. Government agencies in Canada, almost as many as operate on the ground in Nigeria. As U.S. Ambassador to Armenia, I learned how to effectively raise difficult issues—such as fighting corruption and ensuring human rights are respected—with a government that has otherwise strong ties to the United States. And in my current assignment as the Deputy Permanent Representative to the United Nations, I see first-hand Nigeria's diplomatic heft and leading role on the world stage so I recognize the importance of ensuring Nigerians understand and support key global U.S. foreign policy objectives.

Mr. Chairman, this is a unique moment for U.S.-Nigerian relations and for Nigeria as a whole. President Buhari is stepping down after his constitutionally limited two terms and we are looking forward to the announcement of the outcome of this past weekend's elections. As Nigeria is Africa's largest democracy, we know that these elections will be watched across the continent. I am pleased that, based on preliminary reports and assessments by election monitoring groups on the ground, despite some incidents of violence and delays at certain polling stations, the voting on election day generally unfolded peacefully.

However, after this election, whichever candidate is chosen, the new government will be faced with many challenges: how to beat back the threat from ISIS, Boko Haram, and other criminal elements in Nigeria; how to reduce intra-communal strife in the country that has claimed the lives of far too many Nigerian Muslims and Christians; and how to harness Nigeria's vast oil wealth to improve the lives of its citizens. If confirmed, I am committed to leveraging all elements of American diplomacy and foreign assistance to help Nigeria in tackling these goals.

A top U.S. priority is combatting the insecurity that plagues the Nigerian people, with nearly all the country's 36 states experiencing some level of violence. From terrorism in the northeast and elsewhere, to criminal attacks in the Niger Delta and Southeast, to piracy off the coast, crime and insecurity are nation-wide problems. If confirmed, I will continue our efforts to work with the Nigerian Government to help professionalize its security services in order to create a professional Nigerian military and police force that respect human rights, protects civilians, and holds those who commit abuses to account.

Finally, Nigeria is an important economic partner for the United States with over ten billion dollars in two-way trade between our nations. And the Nigerian economy itself—while still primarily reliant on oil—is increasingly diversified and, as the largest in Africa, offers real opportunities for mutually beneficial trade.

And yet, for all this wealth from resources and trade, too little of it makes its way down to the average Nigerian. Illegal oil bunkering and criminality in the Niger Delta region limits the ability of Nigeria to benefit from its natural resources. And endemic corruption throughout the country further limits the ability of all Nigerians to profit from their nation's wealth. If confirmed, I will continue to press the Nige-

rian Government to tackle corruption and improve the rule of law. Additionally, I look forward to leveraging the ingenuity of the American private sector, as well as our Nigerian diaspora community in the United States, to continue to improve the economic relationship between our two countries.

Mr. Chairman, Ranking Member, members of the committee, when I appeared before this committee eight years ago to be confirmed as the U.S. Ambassador to Armenia, I committed to working with Committee members to advance American interests overseas. I renew that commitment today to you and your staffs.

Thank you and I welcome your questions.

Senator BOOKER. I think the thanks is ours. The ranking member and I have known each other for about 10 years now and there are things we disagree on but one thing we both agreed on, as you all were speaking, we have a lot of humility, as we sit before career diplomats who have dedicated themselves to what you do, and as a result, your whole family has made this extraordinary dedication.

This is how we are going to roll now, if you all do not mind. I am going to ask some perfunctory questions or, should I say, some technical questions. Then I am going to hold my policy questions and let Mr. Risch, out of respect, start the questioning.

If no Democrats show up, I am going to let Mr. Ricketts go second, actually, and then I will save my policy questions for the end.

But as far as the procedural questions, I would like to ask, each of you should just answer yes or no and directly we can just go down the line, starting with Dr. Murthy, or General Murthy or however you would like to be recalled, my friend. Dr. General, Mr. Murthy?

Dr. MURTHY. Vivek is fine. I am informal.

[Laughter.]

Senator BOOKER. We will start with you and we will just go down.

Do you agree to appear before this committee and make officials from your office available to the committee and designated staff when invited?

[All witnesses answer in the affirmative.]

Senator BOOKER. Do you commit to keep this committee fully and currently informed about the activities under your purview?

[All witnesses answer in the affirmative.]

Senator BOOKER. Do you commit to engaging in meaningful consultation while policies are being developed, not just providing notification after the fact?

[All witnesses answer in the affirmative.]

Senator BOOKER. Do you commit to promptly responding to the requests for briefings and information requested by this committee and its designated staff?

[All witnesses answer in the affirmative.]

Senator BOOKER. All right. I say thank you for that. And, again, I will reserve my questioning for the end. I want to be—give deference to my colleagues.

And with that, I ask Ranking Member Risch for his questions.

Senator RISCH. Thank you, Mr. Chairman, and I join in your humble appreciation for the cast that we are looking at today. Your resume—your collective resume—is indeed impressive.

Dr. Murthy, I want to talk to you a little bit about the WHO. You heard me in my opening statement talk about how staggered I was as at their incompetence when admittedly I had never worked with

them before on anything, and when COVID raised its ugly head we needed help and we needed help badly and the place we turned to was the WHO, and I was just blown away at the incompetence that I ran into there.

It needs reform. It needs lots of different stuff. What are your thoughts on how you are going to approach that?

Dr. MURTHY. Thank you, Senator, and I must say your statements at the opening about your concerns about the WHO, about the need for it to be effective and competent in what it does, I think I understand those and I share a deep concern for the status quo being continued.

I think we have got to make things better. Here is how I think about it, sir. I think one of the things that we have got to focus on is accountability at the WHO. We are the biggest investor in the WHO and the real question is are we delivering the value for the American people that those dollars should get.

I do not think we are there yet. I think we need to know that the WHO has transparency when it comes to how funds are being used, that we have clarity about goals, what those goals are, what the timeline is and which are being accomplished.

I think we also need transparency in decision making, which has not always been there, and, finally, we need workforce accountability. The allegations of sexual exploitation and abuse, these are horrifying. There should be no tolerance for that kind of behavior from any organization, much less one entrusted with the safety and the health and well being of people around the world.

But I also think, sir, when it comes to pandemic preparedness the world needs to be able to rely on the WHO to function and function well both during a pandemic but also beforehand to help prevent the next one and ensure we are prepared and that means setting up the kind of surveillance and rapid alert systems and transparent data sharing that we need but do not quite have yet.

It means having a robust rapid response, ensuring that we have the ability to manufacture and distribute countermeasures around the world so that everyone can benefit from the discoveries and scientific advances that ultimately help us get through pandemics.

So these are some of the areas where I believe we need to focus. That is why my priority, if I have the privilege of serving, sir, would be to focus specifically on these two areas of pandemic preparedness and better governance and transparency of the WHO.

And I would look to do that both in my voice at Executive Board meetings working in consultation and partnership with you and other members of this committee and with partners in the State Department, USAID, and our Department of Health and Human Services.

Senator RISCH. I think you got that exactly right. I think both of those areas of focus are incredibly important, particularly the preparation for the next one.

After we have been through this as a world we know the heartache and issues that this causes and there is no reason we should not be prepared—much more prepared for the next one, also getting accurate information.

One of the things I get most from constituents is they really do not believe they got accurate information from the very beginning.

They still do not think they are getting accurate information and that is it—and sometimes you just do not know and it is better to say that than to try to give information that misleads people.

Anyway, thank you for that. I think you got that right. My time is short. But I do want to—I do want to ask—because of the pool of talent we have here I do want to ask—I get reports regarding the Sahel. I am also senior Republican on the Intelligence Committee so I get it here and I get it there, and it has been one of the most disheartening things for me is to watch how the Sahel has deteriorated in recent years.

Part of it, of course, is because of our success in the Middle East. We drove a lot of the terrorists out of there. Where did they go? They went to the next weakest link in the chain and that was the Sahel.

And it looks to me—I could be wrong on this but it looks to me like it is going to be even tougher in the Sahel because of the weakness of the governments there and the corruption and everything else that is there.

It is going to be even more difficult there to take on the terrorism issue that we have had to deal with in the Middle East.

Somebody help me out here. Give me some optimistic view and, if not, how we are going to do that. You all have—you all have tremendous resumes. Who wants to take a shot at this?

Ms. FITZGIBBON. My team is throwing me under the bus.

[Laughter.]

Senator RISCH. There you go. Been there.

Ms. FITZGIBBON. It is very interesting. We do need to make a more concerted effort not to just focus on security assistance, which is very important and vital. We need to keep our security assistance to countries like Niger.

But, more importantly, is we need to help reinforce state legitimacy with their people. We have got to make sure that governments are making those connections and that service delivery is happening and fighting corruption is very important in that.

But even more important is people need to feel that their government is protecting them and their government is providing for them, and if that is not happening these youngsters in Niger, in particular, 70 percent of the population is youth and they are very, very easily led astray by violent extremist organizations.

So without—we have to have that total whole-of-government—we call it the 3 Ds, you know, defense, democracy, diplomacy, and development—package to make sure that we are trying to alleviate the conditions that are creating the recruitment or the recruits for those organizations.

But we still do need to undergird that with security assistance. I know that Niger is—right now, and Nigeria, the two countries still standing as democracies in the region, and we need to work more closely together between those countries and ECOWAS to strengthen the institutions, the security apparatus, to fight terrorism, but also to fight terrorism and make sure that the next elections in Niger, which are coming in a few years, that we are working towards that now. We cannot just wait till an election comes and then have a crisis and a military coup happen.

Senator RISCH. With the increase that we have had in terrorist activity in the Sahel do you think that countries are getting any better in dealing with that on a positive basis or are they are they just accepting it? What is your view of that?

Ms. FITZGIBBON. My experience has been Nigeria is getting better at it. Part of it is some of the foreign military sales that we have made to Nigeria that is making them more attuned to being precise in their attacks and also more collaboration with the neighbors in information sharing.

In Niger's case I think our partner capacity that we have been building is doing a good job for them. The most recently trained—U.S.-trained unit just went to the border with Benin so they are actually positioning those troops where they should be, not keeping them back in Niamey. They are putting them out on the front line.

So in Niger I think we are making progress. In the other countries and the Sahel with the military takeovers that we have had I would argue that we are not.

The other thing in Niger is that they are very much against the incursion of Russian organizations like Wagner. They are very attuned to what is happening in Benin and Burkina Faso.

So bolstering their resolve and bolstering their capacity to protect their borders and be able to be a beacon in the region for what democracy can bring to their people is the way we have to go.

Senator RISCH. Thank you. I appreciate your thoughts on that and my time is way past up. Thank you, Mr. Chairman.

Senator BOOKER. We have a light attendance today so you should feel comfortable doing that.

I am going to turn to Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Mr. Chairman, and thank all of you for your service. Congratulations on your nominations to these Ambassadorial positions.

And just—Ms. FitzGibbon, I just returned from a trip along with some of my colleagues from this committee—Senator Menendez, Senator Coons, Senator Graham from another committee—and one of our stops was Niger. They may have already discussed it in this hearing.

But I just want to underscore your statement. I do think that we need to be doing more to support Niger. While we were there our country team and folks on the ground indicated that there were requests for certain additional helicopters and things like that, and given what has happened in Mali, Burkina Faso, I just think that that is a priority, as you know.

Ambassador Miller, thank you for your earlier service in Armenia, among other posts. I know you have discussed the election that just took place in Nigeria and I know you also mentioned in your testimony here the issue of endemic corruption in Nigeria, which is really holding the country back in many, many ways when it comes to any kind of confidence of investors in the economy.

Can you just talk about what your plan would be to address that issue?

Mr. MILLS. Thank you, Senator. Yes. I think in my experience the number-one question I hear from U.S. business and investors is what is the corruption situation in Nigeria—what is being done to address it.

The mission in Nigeria has a full range of programs designed to promote anti-corruption activities. We also address it at the highest levels and it certainly, as I said in my statement, will be a priority for me.

The mission supports the Department of Justice efforts to claw back a lot of the illegally-obtained resources that are overseas in the United States, including those that came during the presidency of President Abacha, and a lot of those clawed-back resources when they come back are put directly into programs and infrastructure to benefit the Nigerian people themselves.

In my experience dealing with the issue of corruption, which is pervasive and in many places that I have served and can happen anywhere, is that it is important to identify local voices, people in the country that will speak out against corruption.

You often hear—I heard it in several of the places I have served—this is our system. This is our culture. Do not imply—sort of impose your values on how we do business here.

So I find it most valuable to identify and amplify those voices in the culture that say no, corruption is not part of our culture. This is not how we do business. So I think that will be a real emphasis for me in Nigeria.

Senator VAN HOLLEN. Well, no, I appreciate that and I think—look, the election results are in. I know some people are asking questions.

But we know that there is a history of corruption among many of the players who were involved in the election. So I wish you the best and look forward to staying in touch with you on that.

Mr. Kneedler, congratulations to you as well. Lots of issues to cover in Rwanda. I look forward to continuing our conversation on the M-23 threat in the eastern part of Congo and Rwanda's role in that.

But I wanted to ask you about the decision that was made in May by the State Department when they categorized the Rwandan Government's arrest and imprisonment of Paul Rusesabagina, who, of course, is known to many Americans through the portrayal in "Hotel Rwanda," a legal permanent resident of the United States as a wrongful detention.

So how would we—how do you propose to address that issue? Because I think many of us—former Senator Leahy, myself, and others—have been following this case closely.

Mr. KNEEDLER. Sure. Thank you very much, Senator, for the question. I have been following Mr. Rusesabagina's case very closely.

As you noted, the State Department determined that he was wrongfully detained last year. The State Department has also outlined concerns about the lack of free trial guarantees observed during the course of his trial and conviction—conviction, rather, and also underscored the importance of ensuring that he is afforded every legal protection, going forward.

Senator, if confirmed, I would look forward to working with members and staff from this committee, with his family, with our special envoy for hostage affairs, who has the lead on this case, to do everything possible to resolve this case as quickly as possible.

Senator VAN HOLLEN. I appreciate that. As you know, there are also a lot of concerns about the Rwandan Government's tactics of harassing and even reports of sometimes killing dissidents abroad. So I think we have got a lot of work to do in this particular area.

I look forward to working with you and I thank all of you for your service and I look forward to supporting all of your confirmations.

Senator BOOKER. Thank you very much, Senator Van Hollen. I apologize to Senator Ricketts. I thought you were going to be second in questioning. You now have been bumped back to fifth, man, and—

Senator RICKETTS. I am the new guy. I get it.

Senator BOOKER. I appreciate that. But I respect you deeply, not just because you are my fellow colleague but because you have got the best haircut on this entire panel.

[Laughter.]

Senator BOOKER. So I would like to go to Mr. Hagerty, please.

Senator HAGERTY. Thank you. Thank you, Mr. Chairman, and my apologies, Senator Ricketts. But I appreciate the opportunity to discuss a topic that is very disturbing to me and, I think, perhaps to all of us here.

I would like to start with you, Dr. Murthy. I want to ask you if you believe that China should be held accountable for any of its malfeasance during the COVID pandemic, including their stonewalling, the lying, misleading the world about the pandemic's origin and its spread.

I would just appreciate a simple yes or no answer.

Dr. MURTHY. Yes, Senator. I think it is important for all countries to be held accountable when—especially for lack of transparency.

Senator HAGERTY. I would say the country that—where the origin started is the one I am focused on right now. Next question, do you believe that the World Health Organization should be held accountable for initially covering up the possibility that COVID came from a Chinese lab leak?

And, again, I would appreciate a yes or no answer here.

Dr. MURTHY. Senator, yes, I do believe accountability is important with the WHO as well when it comes to COVID origins.

Senator HAGERTY. I absolutely agree. Their performance in this regard was absolutely pathetic. They were late to the game and they were very quick to dismiss the possibility that this leak came from the Wuhan lab.

Specifically, in February of 2021, more than a year after COVID emerged, a WHO investigation team finally gets there and then they almost immediately determined that it was, quote, "extremely unlikely" that COVID came from the Wuhan lab and they recommended against further investigation.

Yet, according to news reports the Department of Energy's Office of Intelligence and Counterintelligence just recently joined the FBI in assessing that COVID likely originated from a lab leak in China.

I would also note that the Energy Department's intelligence arm employs actual biologists, virologists, and other scientists in this regard. Moreover, just yesterday FBI Director Wray publicly reiterated that COVID most likely came from the Wuhan lab.

So, Dr. Murthy, do you think it is extremely unlikely that COVID came from a lab leak in China?

Dr. MURTHY. Senator, thank you for raising this issue. I think there is currently a range of opinions, as I understand it, in the intelligence community about the origins of COVID-19. The lab leak theory is one of those possibilities and I do not think it is proper to discount a theory until it has been properly investigated.

Senator HAGERTY. I could not agree with you more.

Dr. MURTHY. My big concern, though, is the lack of transparency that we have had from China when it comes to gathering the information needed to actually get to the bottom of that story and to do a complete investigation that has integrity.

Senator HAGERTY. We share that concern. Yet, the WHO was more than willing to write this off and let the CCP get away without revealing base data and to quickly dismiss this.

Given the recent DOE and FBI reports do you believe that the WHO report was actually wrong to conclude that the lab leak was extremely unlikely and to recommend against any further investigation?

Dr. MURTHY. I think it is clear that further investigation is needed and that is something that President Biden has been clear on—that is, when he directed the intelligence community to double down.

Senator HAGERTY. I think, clearly, the report was wrong. Clearly, it was premature to shut down further investigations into the lab leak theory.

The WHO is alarmingly close to the CCP and the previous administration rightly withdrew from that organization. Despite all of this, President Biden unconditionally rejoined the WHO immediately after taking office. The United States is now, again, the WHO's largest donor. We are paying them more than \$400 million dollars per year.

Dr. Murthy, do you trust China to be a good partner to the United States the next time we have a pandemic?

Dr. MURTHY. I think we have got to ensure that there is accountability that comes through assistance. It means that the money we give, Senator, the money you referenced should not be a blank check to the WHO.

It should come with assurances that the reforms that we are seeking are actually happening. And look, in this—one of the things we learned from COVID-19 that—

Senator HAGERTY. We did not get any assurances when we agreed to come back into the WHO organization. Have you got new information for me that we got assurances from the WHO when we agreed to come back in?

Dr. MURTHY. I do think being a part of the WHO and engaging with them is the best way to change them and to—

Senator HAGERTY. So we stepped back up to be the largest donor, yet we have got, as far as I know, no guarantees that they are going to reform. Certainly, their performance does not support this.

I think it is something that is deeply, deeply concerning. There is another area, though, that I am deeply concerned about and this has to do with our sovereignty.

So I want to ask you this question as well. Should the United States ever under any circumstance cede its sovereign policymaking authority, for example, to the CCP during a pandemic?

Dr. MURTHY. No, Senator. We should retain—

Senator HAGERTY. I agree with you. I did not think—I think that is correct. Next question, though, which is closely related to this, then should the United States ever under any circumstance cede its sovereign policymaking authority to the WHO under these circumstances?

Dr. MURTHY [continuing]. We should retain our sovereignty when it comes to making decisions for the American people's health and well being.

Senator HAGERTY. I very much appreciate that answer. I am also very concerned. As you know, the Biden administration is actively negotiating with other countries right now on a new agreement on a global pandemic response that will give the WHO greater influence and control. This is a draft of the agreement.

Dr. Murthy, if concern—if confirmed, I just would like to know if you will commit to me and to this committee that you will not participate in any effort to enter into any international agreement that would give the WHO greater control over future American pandemic responses.

And, again, I would appreciate a yes or no answer.

Dr. MURTHY. Yes, Senator, I can assure you that one of my guiding principles will be maintaining American sovereignty in our decision making. We know our people the best. We know what our people need here in America and we have got to have and retain always the ability to make decisions for America.

Senator HAGERTY. So I can take that as a commitment that you will not cede greater control to the WHO over pandemic response here in America through the course of this agreement or any other?

Dr. MURTHY. I will always seek to retain our sovereignty when it comes to our health.

Senator HAGERTY. Is that a yes or no answer?

Dr. MURTHY. It is what I said, Senator. I will strive to retain our sovereignty and that is important. I do not want to cede that to anyone.

Senator HAGERTY. I certainly would hate to see our sovereignty be given away in this agreement.

Mr. Chairman, I would just like to enter this document into the record.

Senator BOOKER. Without objection.

[The transcribed text of the document referenced above is located at the end of this transcript.]

Thank you very much, Mr. Chairman. Thank you, Dr. Murthy.

Dr. MURTHY. Thank you.

Senator BOOKER. I turn now to Senator Coons. I am the chairman of the Africa Subcommittee but this is the, in many ways, expert on issues regarding Africa. So, sir, would you please take us to a higher level?

Senator COONS. I wish I could. Thank you, Mr. Chairman.

Actually, the experts are the people in front of us, folks who have served and both serve for long periods of time in the field and

many who are with you. I appreciate the compliment but I am undeserving. I am confident of that.

Having just returned alongside Senator Van Hollen and a bipartisan group from a visit to a number of countries—I think this has already been brought up—I just want to start by expressing my deep gratitude to each of you, to your families, for your willingness to continue to serve our country in a number of contexts that are very challenging. So let me get to it and try to be brief, if I can.

Dr. Murthy, it is great to see you again. I know it is somewhat unprecedented for there to be a requirement for a separate hearing for WHO representation but you have just heard some of the reasons why there are heightened concerns. I greatly appreciated your coming to Delaware and to visit some of our young people, our healthcare professionals, and to talk about how we move forward here domestically.

Your previous experience in this role and in other roles in the U.S. Public Health Service Commission Corps, I think, makes you abundantly qualified for this position. I hope you are promptly confirmed.

If you would like to just take one more minute and talk about how you would promote U.S. interests at the WHO, if confirmed, I would appreciate that.

Dr. MURTHY. Thank you so much, Senator Coons, and thank you again for the invitation to come to Delaware, and I really enjoyed and learned a lot from my visit there.

In my view, Senator, as you know well, our health and well being in the United States does depend on what happens elsewhere in the world. We saw that with COVID. We have seen that with other infectious disease threats.

In order—my privilege as the surgeon general has meant to look out for the health and well being of Americans and that, to me, involves, in some ways, a natural extension into this role if I am privileged to have the opportunity to serve in it, which is to work on the global stage to also safeguard the health and well being of Americans.

How we do that means that we have got to ensure that we have better collaboration, coordination, and transparency with other governments and that includes in the areas of data surveillance and data sharing. It means we need early detection systems but we also need rapid response operations, again, a place where the WHO needs to have an effective role.

But it also means that when it comes to the production of countermeasures, Senator, we know, again, that all of us are better off when the entire world is better off and when the entire world has access to countermeasures like vaccines and therapeutics.

And so part of the work, I believe, that we need to push and engage the WHO on is the work of ensuring that we have adequate production distribution capacity when it comes to manufacturing and distributing these countermeasures.

To me, these are all parts of what we need to do to ensure we are prepared for the next pandemic.

But finally, I will say this, Senator. We need an effective WHO not just for pandemic preparedness but for many of the other health threats that we are facing and for the WHO to be effective

there it has to be credible, which means it needs to be able to deliver on promises.

It needs to be transparent in decision making, and its workforce also has to adhere to the highest ethical standards and those are the issues, again, that I hope to focus on if I have the opportunity to serve.

Senator COONS. Terrific. Thank you very much.

Part of our trip was celebrating the accomplishments of 20 years of PEPFAR launched by President Bush, the single largest public health intervention in world history, which has saved more than 25 million lives.

Its path forward will in no small part come through this committee and we got to see, for example, in the country of Zambia how significant investment of the United States has saved huge numbers of lives. In South Africa the same.

I hope to work with you both on pandemic prevention but also in celebrating some of the ways in which our investments in public health infrastructure on the continent of Africa and elsewhere in the developing world have made us safer and have helped avoid preventable deaths.

If I could, two more questions.

Ms. FitzGibbon, just interested in what you think of the stability of the Bazoum Government. Our time in Niger was disconcerting and they are, I would say, an island of stability in a region beset by chaos.

I am very concerned about Russia's presence and the way in which Wagner has taken a more and more aggressive posture to the east and west of Niger.

I would be interested in how you think we could successfully counter Russian disinformation, which has had an impact in all of the countries to which you are nominated to serve, and how we might more successfully engage the people of Niger and the Sahel region in a way that would promote stability.

Ms. FITZGIBBON. Thank you for that question. We have answered the Government's request for help on disinformation, whether it is Russian disinformation or Chinese disinformation. Our senior bureau official for public affairs went out to Niger in November.

We have brought down experts to help strengthen the journalistic infrastructure, so to say, so that—to help the journalists understand better how journalistic integrity is very important to putting word out to whatever information they are putting out.

And then we have helped point out to them when we see disinformation and to all that, and China has put on a big PR blitz in Niger but its actual popularity ratings are going down despite how much money it is putting into there.

So something is working there. Part of it, I would like to say, is our U.S. Embassy's public affairs program and reaching out to people. Our people-to-people relations are working.

And with Wagner—we have a strong ally in President Bazoum on Wagner. The smallest of our Ds as we were talking about a little bit earlier is our democracy funding.

But one of the things we can make up for that with is diplomatic engagement and I intend to work very hard—and I have done this in every country I have served in—with the political elite to make

them understand that there are a lot of political tradeoffs that need to be made for the long-term stability of the country, and the economic and social investments that need to be made in Niger need to be made now.

Senator COONS. Agree.

Ms. FITZGIBBON. And that means the opposition and members of the ruling party and aspirants to be the next president of Niger need to have that buy in because the country's stability is at risk and the time is now.

The attention from the United States and the attention from other donors is now, too. So this is the time that the country can benefit most and I believe that President Bazoum has that commitment and we will make sure that we are talking frankly to him when we see things that might be done better.

Senator COONS. Thank you.

Ms. FITZGIBBON. So I am hoping to have a good relationship there.

Senator COONS. I look forward to hearing from you.

Could I beg the indulgence of one more question, Mr. Chairman? He is distracted.

So if I could, Ambassador Mills, I am interested in each of your countries. I apologize, but I am already out of time.

You will represent us in Abuja in one of the most populous countries in the world, a real linchpin for West Africa and its stability, and where the outcome of the election, I think, is leading to some widespread disappointment amongst those who had hoped for change and the possibility for real continuity.

What do you expect out of the Tinubu Government? What do you think his previous service as governor of Lagos State, if I am not mistaken, is going to lead to and how do we build a more stable, sustainable relationship between the United States and Nigeria, given some of our issues in terms of the conduct of the Nigerian Armed Forces, internal division, and the very strong and robust diaspora community here in the United States?

Mr. MILLS. Good question. Sorry. And in a way, that is the answer. It is a holistic approach. It is—if we are going to deepen the relationship, which is actually quite strong—we have quite an engaged relationship with Nigeria across the board economically, diplomatically, culturally—we have to use all the tools, as I mentioned in my statement.

In terms of the election, I would point out that there was some good news from the election. Candidates—the top three candidates each won over 12 states in the election, which is new, and I think that reflects the diversity of the political system there and a lot of new voices taking part in this election. That is very encouraging.

I think if President-elect Tinubu is listening, he knows that there was a great demand for change. The campaign that in many ways supported the candidacy of Peter Obi, a lot of young people came out and I think he will be aware of that. We certainly will remind him of the need to be responsive to that, moving forward.

In terms of our priorities, we have long for a long time our work in Nigeria, guided by the administration's Africa policy, Africa strategy, and the mission's own strategy, has focused on really four

key areas that we are engaged on: improving security—Nigeria is a counterterrorism partner.

We have to improve their ability to fight the terrorism threat that they are facing; working to develop the economy through mutually beneficial trade; human rights—huge, huge issue that we need to promote and we need to increase accountability; and the transnational issues that the doctor mentioned. Nigeria is a partner is transitional—transnational health issues and crime issues. So those are our priorities, I think.

You mentioned security in particular, and to get to Senator Risch's question about the Sahel, I think in some ways there is a success story in Nigeria. The last couple of years, as Kathleen knows well, we have sold to the Nigerians at their request some important military precision munitions and aircraft.

Those aircraft in the last two years have made a difference in their ability to fight the terrorism threat, especially in the northeast. It has reduced—those precision munitions—civilian casualties, and I think more importantly, and this is the secret, we sold these weapons and nested inside the Sahel were important human rights components, important new steps we said if we are going to share these weapons—sell these weapons to you you need to take these actions, everything from new air to ground integration teams that have really reduced civilian casualties wherever the air force is working in Nigeria, but we have put in a military justice advisor.

We have put in a new advisor into how to work with the civilian communities and I think that is a real model for moving forward and that will be a priority, moving forward, to continue monitoring that and building on that.

Senator COONS. Thank you. It is a complex issue. I appreciate your answer. I have been to Borno state. I have been to Nigeria several times. I look forward to staying in touch with you, and I apologize for running over.

Please, Mr. Kneeder, Ms. Tremont, give my regards to President Kagame and President Mnangagwa and thank you to all of you and your families for your willingness to serve.

Senator BOOKER. Senator Coons' 12 minutes of questioning represents the grandeur of his mastery of these issues. But I am now happy to turn to Senator Young.

Senator YOUNG. I will try and keep mine a concise 10 minutes or so.

[Laughter.]

Senator COONS. Thank you.

Senator YOUNG. All right. I welcome all our panelists. Congratulate each of you for your nominations and we will look forward to serving with most or all of you here in the future on behalf of our country.

Dr. Murthy, as you know, the United States lost more than a million lives due to COVID. Equally as concerning are the effects of the pandemic on untold millions of children from education to socialization to mental health.

It is clear, Doctor, that the United States has a vested interest in the renegotiation of the World Health Organization's pandemic response policies to mandate transparency and cooperation during the next pandemic, which undoubtedly will occur.

If confirmed, sir, you will have a central role in ensuring that our country and our children are protected from malfeasance during future health emergencies.

Dr. Murthy, do you support the proposed draft agreement as currently written and, if confirmed, what specific changes to the regulations will you propose to mitigate the damage during the next public health crisis?

Dr. MURTHY. Thank you, Senator, for that question.

And let me just say at the start that I really appreciate you bringing up the impact this pandemic has had on our children and on mental health, more broadly, because the impact has been profound.

I have seen that in my own family and I have certainly seen that in my community and it is one of the reasons why I feel very strongly that I want to do everything I can to ensure we are better prepared for the next pandemic because there is a lot at stake, most importantly our children.

A few things that I think would be important that I would look to focus on when it came to pandemic preparedness, as you noted, one is to ensure that we have the early detection capabilities and early data sharing. That is so vital to understanding when a threat is emerging. If we had had that in place effectively this past time around with COVID I daresay we may have been in a better place.

But the second thing that we need is to be able to mobilize a rapid—

Senator YOUNG. And, sir, can I just interject—

Dr. MURTHY. Of course.

Senator YOUNG [continuing]. Because it is an important point. Is it accurate to say that we would have had a lot more lead time or we gave up some valuable lead time to prepare, to harden ourselves, by producing or sourcing PPE, by protecting people against the virus, which presumably if you had the data would have had a better chance of identifying the nature of the virus, it would have saved countless lives?

Dr. MURTHY. The short answer is yes, Senator. Yeah, it is—the benefits of longer lead time are both in preparation from a materials perspective but also scientifically that gives scientists a head start on trying to understand and collaborate on understanding what the actual pathogen is and then starting the process of developing countermeasures. So that is absolutely right.

So that early detection, that surveillance, that data sharing is really critical. What we also need to do, though, is ensure that we have the ability to respond in terms of countermeasures. That is both in the development of countermeasures but also in the production and distribution of those countermeasures.

This is the challenge we had during COVID-19. How do we—it is one thing to develop a vaccine. It is another to manufacture and distribute it at scale to everyone who needs it and that is a place also where we have to work hard because as we saw with COVID-19, COVID is not immutable.

It changes. It mutates, and the more uncontrolled spread there is the more mutations there are, the more dangerous variants can develop and that can come back to hurt us, as has happened several times during this pandemic.

Finally, I will just say, Senator, again, to come back to something you raised in the beginning about mental health, I think as we think about our own country and our response to this, this is part of the longer tail, the deeper consequence of COVID-19 that we have to grapple with and one of the reasons that I have been so focused on mental health and well being in my work as surgeon general, one of the reasons why I also want to make mental health part of our focus on the global stage is because we are not alone in those struggles.

A lot of countries are struggling with the mental health impact of COVID-19. That is part of how we have to respond to this pandemic and be prepared for the next.

Senator YOUNG. Thank you, Doctor. Everything you said makes great sense. You mentioned relationship building as a key factor in negotiations and in cooperation from member states during the next global health crisis.

It was something that you underscored in your written testimony. Two-part question. Do you believe that relationship building will be sufficient? It may be necessary but will it be sufficient to tackle the next global pandemic?

It seems to me, and this is the second part of the question, that we should be supporting some sort of regulations that establish punitive consequences from governments that do not comply with or cooperate with other countries during such emergent circumstances.

Dr. MURTHY. Yes, Senator, I am glad you raised this.

I would say relationships are necessary but insufficient on their own to generate the results that we want. The relationships build familiarity and trust. They make it easier to work together more quickly. So that is essential.

But we also need our agreements with teeth. There needs to be accountability in this process. We cannot have another instance where there is not transparency and data sharing that helps us get to the bottom of COVID origins, for example, that helps us understand when a threat has emerged so we can leap to action together as a global community to address it with maximal lead time.

So all of that, I believe, is important in the components we need to assemble for an effective pandemic response.

Senator YOUNG. Lastly, I am going to ask you about Taiwan. For the last two years the Biden administration's pledge to bring Taiwan back into the World Health Assembly as an observer and for two years straight China has blocked that from happening.

Is the fact that the administration, despite its best efforts, has been unable to win this status for Taiwan—does this constitute some evidence that the organization is deferring to the Chinese Communist Party and its wishes or is it something else?

Dr. MURTHY. It is a good question, Senator. This is one of the areas that I would be happy to get into if I had the opportunity to serve. Once I have the opportunity to start in the position, my hope would be to approach this with a clear set of priorities but also with an intent to understand how decisions have been made. It has been—we have been clear about Taiwan, how—what role we think Taiwan can and should have in terms of conversations related to global health and that is an area where I am certainly pre-

pared to weigh in as well if I have the chance to serve on the Executive Board.

Senator YOUNG. Thank you, Doctor.

Dr. MURTHY. Thank you.

Senator BOOKER. Thank you very much. The prodigiously patient patriot, Mr. Ricketts.

Senator RICKETTS. Thank you, Mr. Chairman, and you have got a heck of a barber, too.

Well, I want to thank—again, add my thanks to all the panelists for your service to our great nation and I also want to thank your families as well because I know they serve alongside you as you are serving our country, and especially to our members of the Foreign Service, thank you.

As governor of Nebraska I had the opportunity to lead about two trade missions a year around the world and I got to tell you, every time I was in an Embassy I was very impressed with the quality of people who are representing our country overseas. So thank you very much for your service. In particular, I had direct experience with that.

Dr. Murthy, so I share also some of my colleagues' disappointment with the WHO and specifically around the COVID pandemic. Again, as I mentioned, I was governor and so I had kind of a front row seat to the failures of the WHO as we went through that pandemic on a number of different levels.

But what I want to focus on is kind of something that Senator Hagerty mentioned about before. If you are confirmed will you ensure that the WHO conducts a true and thorough investigation into the origins of the COVID pandemic, the actions of the Chinese Communist Party?

There has been a lot of folks that the WHO claim to be committed to getting real answers about the pandemic and claim to be tough on China.

But as soon as the Chinese Communist Party pushes back, for example, denies entrance to a lab or refuses to allow a doctor or scientist have access for us, they all kind of back down and do nothing and, certainly, I think that a lot of the information early on especially it seemed like the WHO was really being deferential to the CCP, which I think all of us would agree does not share our values here in the United States.

I think the U.S. Representative at the WHO needs to have a specific plan to—when you arrive on how are you going to get these answers.

So do you have a specific plan on how to ensure the WHO conducts a thorough investigation and gets—the best that we can get the origins of the COVID pandemic and the Chinese Communist Party's role in that?

Dr. MURTHY. Yeah, thank you, Senator.

I continue to believe this is a very important issue for us to get to the bottom of. We cannot afford to cast it off and just move on for two critical reasons. One is understanding the origins of this pandemic will help us be better prepared for the future.

But there is also to me a more important—an equally important principle at play here, which is that if we are truly in the era of global health we need to be a global community.

That means we all have to be transparent, open, and cooperative, and it cannot be allowed for one nation to not be transparent, to not allow a thorough investigation with integrity to take place.

That just—that does not only put at threat our ability to understand COVID but it puts a threat, I believe, our ability to be effective and demand transparency from all countries in future responses.

So if I have the opportunity to serve this is an issue that I would press as an Executive Board member. I would work together with our other colleagues in the administration who also feel strongly that we need to get to the origins and the bottom of the story about COVID origins and this is something I would look to engage directly with the director of the WHO on.

Senator RICKETTS. So you do not have a plan quite yet. You are going to—if you are confirmed then you will work on a game plan together about how we tackle this problem of getting to the origins of COVID? Is that what I hear you saying?

Dr. MURTHY. This would certainly be an issue that my colleagues who are currently engaging with the WHO have been engaged with the leadership there on and what I would look to do if I started in this position, as I have done in prior positions, is, first, understand those conversations, understand where we are not making progress, and then lean in to those areas so that we can ensure that we have a robust engagement with the WHO and we are pushing this agenda on a full investigation.

Senator RICKETTS. What is your thoughts on how we get the CCP to be responsive and be transparent? Because, obviously, if, indeed, it was from a lab in Wuhan they are the ones that have the data. How do we actually get them? Any thoughts on how we can get them to cooperate?

Dr. MURTHY. Senator, I think that is the delicate work that we have got to do when it comes to both our diplomacy but also thinking about the sort of measures that we take in putting these global agreements together to ensure that they have teeth.

I think there are, certainly, measures that have been discussed over the last couple of years. We are learning from this experience where we have to, again, ensure that there are consequences for lack of cooperation, lack of transparency, and again, this is part of what I would look to engage on and to work with my colleagues in the U.S. Government on because again, as I said, this—to me, this is not a backburner issue.

This is not something we can afford to put aside. This is front and center of one of my core priorities that I mentioned earlier on, which is pandemic preparedness and that means that we have got to get to the bottoms of COVID origins.

Senator RICKETTS. As you know, doing an after action report or a post mortem, whatever we would call it, afterwards is going to be important. I think that getting the Chinese Communist Party to cooperate with that somehow is going to be important.

I am out of time, but I would note, Ms. Tremont, you are the one person who has not been asked a question here today. I feel bad. I do not even have a question for you. But thought I would recognize you here since everybody else got to talk on the panel. You showed up, got dressed up for nothing.

Ms. TREMONT. Thank you, Senator. Zimbabwe is feeling a little bit neglected.

[Laughter.]

Senator BOOKER. Senator Ricketts, you are the only one that abided by the time limits of five minutes. So I appreciate your discipline in that measure. I am going to ask some questions, if I may, now. I am grateful that we had such a great turnout from my colleagues and you can see the seriousness with which they take the important roles each of you will play.

I will go to Zimbabwe, if I may. I remember flying there with this incredible bipartisan delegation that ranged from Chris Coons to then Senator Jeff Flake and we were coming there right after Mnangagwa got elected and we had some—a good sanctions regime, and we were looking forward to talking to them, hopeful that the democratic norms that we wanted to see and that we could find some way to leverage the economic pressures we had.

As we were landing, interestingly enough, we were reading in the newspaper that representatives from Mnangagwa's team were landing from China, and China did not have concerns about their democratic norms and principles.

And so I guess I have a couple questions. One, it has been disappointing to me to see the challenges for democracy in Zimbabwe, and I am wondering what do you think the commitment of Mnangagwa is to key reforms that we would clearly like to see as we continue and maintain the sanctions regime?

And then I am curious about the influence of China, perhaps in many of the countries in Africa, but I am curious what your perspective might be in terms of informing what is the area of bipartisan concern as China is growing influence on the continent?

Ms. TREMONT. Thank you, Mr. Chairman, for that question. The U.S. Government warmly welcomed the improved tone of President Mnangagwa after his inauguration in 2018. But it is true to say there is a lot of work remaining before we see the sustained governance and economic reforms that he promised.

Zimbabwe is still not meeting the requirements of its own constitution nor its commitments to the African Union and the Southern African Development Community.

There we have recently seen over the recent months increased political violence against people expressing legal political activity, biased implementation of laws and rights.

The U.S. Government has been very concerned about this and has not hesitated to call out violence when we see it. If confirmed, I look forward to having frank and respectful conversations with the Zimbabwean Government about what sort of governance and democratic reforms would make the elections more credible and provide the Zimbabwean people their constitutional right to express their political will in a peaceful environment.

Regarding China, that is a big question. As you know, China has been investing in the extractive industries all over the world and Zimbabwe with its rich mineral resources is no exception. In fact, the PRC and Russia comprise about 90 percent of the foreign direct investment in Zimbabwe's mineral sector.

Unfortunately, there is very little transparency regarding the terms of those contracts. So while I would always support private

sector-led growth in Zimbabwe or any country, I certainly hope the Zimbabwean Government is ensuring that the Zimbabwean people are getting fair compensation for the minerals taken from their country.

In addition, I hope that they are looking at the environmental impact of these countries' investments and observing local labor laws to protect the workers who work for the Chinese companies.

If confirmed, I would ensure that U.S. businesses also have a fair and level playing field to invest in the many investment opportunities in Zimbabwe.

Senator BOOKER. Thank you very much. I see Senator Barrasso has come. I am going to suspend my questioning. He is a far more senior senator than I am with a lot more demands on his time, and I am going to allow him now to commence his questioning before I finish mine.

Senator BARRASSO. Thanks so much, Mr. Chairman. I appreciate it.

Dr. Murthy, good to see you again. Like you, I am a physician. You and I have been on programs together at various locations.

One of my biggest concerns is this loss of credibility by public health agencies, especially the World Health Organization. Time and again the American people see public health bureaucrats putting politics ahead of sound science. I think this needs to stop.

As an example, the Department of Energy now and the Federal Bureau of Investigation have concluded that the COVID pandemic likely stemmed from a leak from a Chinese lab, something Republicans have been saying for a long time.

I know Chairman McCaul of the House Foreign Relations Committee, former Senator Richard Burr of the HELP Committee, each released separate reports with the same conclusion.

So do you agree with the Department of Energy and with the FBI that the pandemic likely originated from a Chinese lab leak?

Dr. MURTHY. Thank you, Senator Barrasso, and it is good to see you again as well.

While I have not looked at the data that the Intelligence Committee has looked at and that is not my primary area of expertise, I did note what both of them—both departments have said publicly and I also understand that there is a diverse set of views in the intelligence community about the origins.

I do think what is essential here is that we pursue aggressively the investigation here to understand what the true origins are, recognizing that there are multiple possibilities here.

But I also think that one of the obstacles we have had, Senator, is having transparency with regard to China and we have not been able to get some of the information we need to do a full and thorough investigation and that needs to happen.

Senator BARRASSO. If confirmed, what actions would you support in terms of the World Health Organization in terms of taking to hold China accountable?

Dr. MURTHY. Well, Senator, my feeling is that as we embark in this new phase of learning from this pandemic and better prepare for the next one we have to have guidelines, rules, that we all abide by, rules that have teeth.

Otherwise, it does not serve us well. I also worry that if we allow an instance where one country does not end up engaging in a transparent way it creates more opportunities and almost license for others to do the same later in future pandemics.

My approach, if I have the privilege of serving, Senator, would be, number one, to go in there and to engage and understand the conversations that our colleagues across USG have had with the WHO specifically about them being—conducting an investigation with integrity, second, to assess where the gaps are, and third, to then press WHO leadership to close those gaps and in that process, Senator, I would welcome the opportunity to work with you and others in this committee.

Senator BARRASSO. Thanks.

Ms. Tremont, if I could, in 2022 Zimbabwe's president praised their, quote, "excellent relations with China." That followed the gift of a \$200 million parliament building funded by and constructed by China.

In 2021, Zimbabwe opened their national data center which China helped to build. The NetOne, Zimbabwe's state-owned telecoms network, has received about \$239 million from China since 2013. The purpose of the center is to gather information from the Government and private firms. That includes banks.

So how can we do a better job in countering this Chinese influence in Africa?

Ms. TREMONT. Senator, thank you for that question.

Obviously, I can only speak for Zimbabwe. But yes, Zimbabwe and China have a longstanding relationship that goes all the way back to Zimbabwe's war for independence.

I think the difference between Chinese investments in Zimbabwe and, perhaps, other places in Africa is the U.S. investments of \$4.5 billion that we have invested in Zimbabwe in people—have been for the people—to promote their health, to defend the democratic space, to improve the electoral systems, to increase food security. Seven hundred thousand Zimbabweans benefited from our food security and agricultural programs last year. It was tremendously important in light of the food shortages brought on by Russia's unprovoked war against Ukraine.

Whereas the Chinese investments are much more for the Government of Zimbabwe. The parliament building does not necessarily benefit the Zimbabwean people the way U.S. investment does.

And I do believe also that we hold our U.S. companies to a much higher standard when they invest in the private sector around the world than other countries do.

Senator BARRASSO. If confirmed, how will you help shed light on some of the terrible practices and atrocities committed by China to Africa?

Ms. TREMONT. Senator, I think that our fantastic Embassy in Harare has excellent outreach and public relations with the entire country and I think our image among the Zimbabwean people is much different than what you will sometimes see in the press or from official mouthpieces in Zimbabwe.

And so, if confirmed, I would continue that outreach and underscore to the Zimbabwean people our commitment to them and to

their well being and to defending their democratic rights which are enshrined in their constitution.

Senator BARRASSO. Thank you, Mr. Chairman.

Senator BOOKER. Thank you very much, Senator.

I just want to continue with that line of questioning. Again, there is a real concern—bipartisan concern—about China’s growing influence there.

I think the senator said it right, the sort of corrupt practices that they use and engage in, how that often results in their influence, how they vote in different world organizations. It is a growing concern.

At the recent summit of Africa Leaders, I heard at least a lot of discussion about how they prefer us as partners but feel often we are not stepping up to compete and fill the gap, how when China comes in and does major projects, for example, they are not using local labor. They are not really helping to build.

I am just wondering if you have insights for us, because I think there is a lot of work we could do as a committee to try to better empower American interests and, frankly, that align with the interests of different African nations.

Do you have any insights that you might want to add to the senator’s concerns and mine?

Ms. TREMONT. Thank you for that question, Senator.

I believe that U.S. business and their investments overseas represent U.S. values in a way that Chinese investments do not. We require that our companies do not pay bribes.

We have anti-corruption legislation that we enforce from back here at home. We highlight and press our own companies to enforce local labor laws and abide by local laws. Other regimes who do not share our values do not hold their companies to those same values.

So I think our investments and our companies will always have a slightly tougher road to hoe as a result but I do not think that we can compromise on those in order to compete in a race to the bottom for investment in Africa and influence there.

I have not been confirmed yet. I do not—I have not been to Zimbabwe in a very long time. But my sense is that the Zimbabwean people are keenly aware that they are not benefiting from Chinese investment in Zimbabwe and I think that is an important point to make.

Senator BOOKER. It is, and it touches on everything from national security issues for us, economic opportunity and, again, critical minerals—I could go through the things that are challenging for us—as well as helping countries have democracy because our values—our democratic values are very different than those of China..

I am grateful for your thoughtfulness on this question, and I look forward to continuing, should you be confirmed, this dialogue.

Maybe I will switch right to Mr. Kneedler. There is a real problem in Rwanda around critical minerals and I would say we see alleged smuggling of resources from the DRC conflict zone that are contributing to the destabilization of the country, the exploitation of people, and, again, often working against America’s interests as

we globally compete for these critical minerals and rare earth metals.

I am wondering if you have an assessment of Rwanda's involvement in mineral smuggling and not only its impact—if you can give me your thoughts if you agree with me about the severity of the crisis—but some thoughts on how we stop it.

Mr. KNEEDLER. Mr. Chairman, thank you very much for the question. This is, indeed, a very serious concern, the issue of the illicit flow of resources across borders throughout the region, throughout the Great Lakes region.

There are a number of regional initiatives established to deal with precisely this problem. Rwanda participates in a number of these initiatives. Rwanda has also taken some steps to legitimize its mineral trade, has implemented some traceability measures.

But it is true there is still work to be done in that regard. If confirmed, Senator, I would look forward to working with Rwanda to plug those remaining gaps. But it is an issue of concern.

Senator BOOKER. I appreciate that. And my last question, Doctor General—my mother would be more proud of you—Murthy, you heard from my Republican colleagues, which I think are all legitimate concerns, about U.S. sovereignty, about transparency.

I think my colleagues—Republican colleagues—put rightfully, trying to get facts and truth out. I wonder if I could ask some of their—maybe the inverse of their questions because I see China trying to influence a lot of world organizations, not just the United Nations.

They are trying to out influence us in creating the rules of the world order, and I guess I would like to hear from you, keeping in mind the legitimate concerns that my colleagues have brought up, what is the opportunity lost should we not be leaning into an organization like the WHO, if we do not exercise Americans' leadership and, as I often hear from our peer countries, the indispensable nature of America's leadership in defining the world order?

Dr. MURTHY. Thank you, Senator Booker, for that question.

I think there is a lot to be lost if we do not have American leadership at the WHO. I think we are the nation that can most effectively press for the transparency and accountability that is needed to make the WHO into the even more effective and impactful organization that it needs to be for the future.

But I also think what matters are our values. When we lead the approach we take to global health is one that supports human rights, that brings people to the table, that looks to care for and support the most underserved communities that are traditionally left out.

These are important values that we cannot take for granted and I am not confident that without American leadership that those values would be advanced with the same vigor and effectiveness.

So I think it is vital that we are on the world stage engaging with the WHO and bringing member nations together to push for the effective organization in the WHO that we need and to ensure, again, that agreements that we put together, amendments that we make to the international health regulations, are ones that not only make sense but have teeth so we can move together with strong relationships but also with accountability.

That, in my mind, Senator, is how we create a safer world for tomorrow. That is how we ensure that there are risks to our children of enduring another pandemic and one that has impacts both on their physical and mental health is diminished in probability and that is why I feel that this is urgent work because we cannot wait another five or 10 years to engage and ensure that the WHO is the effective organization it needs to be. We need to do that work right now.

Senator BOOKER. You are—unlike the other four on the panel, you and I have known each other for 10 years. I consider you a friend. I could whisper this to you privately but I want to say to you publicly, I think that my—a lot of my Republican colleagues are such good faith actors that it would behoove you, should you get confirmed, to pull some of them close in in this important role that you have.

I see you and Senator Barrasso are both doctors. I, too, have a science degree in political science but there is a lot of expertise here on this subcommittee and I think it could really work well to have us take our role in organizations like the WHO to another level of leadership that also gives the American public the confidence that these organizations are not being used to undermine public safety or to obscure truth and fact but, indeed, to help make for a safer world.

I want to also say for the record, not that I am picking on you, Doctor General, who my mom would be more proud of, I want to just say to you that your work in the area of mental health—it is a global crisis coming out of a pandemic, and I think that that you have unique insights and expertise that could really help not just at home in your role as Attorney General but in a larger planet that is seeing a lot more stressors on a lot of nations, and I am looking forward to learning a lot more from you.

I want to say to the group as we—as I bring this to a close, Ms. FitzGibbon, you talked about development, democracy, and diplomacy. I want to use different D-words for you. Every one of you is doing a job and, should you be confirmed, will have to do a job, and especially the folks who have been career diplomats before have done this with the Ds of doing things that are difficult, doing things that are demanding, and doing things that are very, very dangerous.

We are a nation that has seen the challenges our diplomats have faced from physical attacks to dealing with environments that are amid severe conflict.

We also know that the work that you do, which many of us who travel as members of the Foreign Relations Committee have seen with our own eyes, you all are doing work that ultimately secures democracy, saves lives, and expands access to human rights.

The work that you all do is extraordinary and the work that you—and the support you get from your family—I am so happy that many of you had family members here—that should be noted. I did not just say that in a perfunctory manner about your patriotism because there are a lot of symbols of patriotism.

But you all in many ways, as we travel around the world, are showing the substance of what I think are lives dedicated to making this nation and the world a better place.

I love our history and I love the role that some of our first Ambassadors held, people like Ben Franklin and Thomas Jefferson. They showed the way of what it means to be the light of this nation abroad and helping to not only secure American interests but make for better alliances and more hope and democracy globally.

And so I just want to say as we bring this hearing to a conclusion that I am grateful, I am hopeful, and while this might not have—I just came from an earlier hearing today with the Attorney General, which was a packed room—You may not see the celebrity of this moment but you all are people who are more concerned with significance than celebrity and purpose than simple popularity.

And so with that, I am going to adjourn the hearing. I would like to thank you all for your participation. I want to thank your family members for coming as well.

You all know this but this hearing record will remain open until the close of business on Thursday, March 2nd. I guess that is tomorrow. Okay.

It is going to stay open until the end of business tomorrow, March 2nd. I would encourage you that if there are questions for the record—many of my colleagues who are pulled in different directions on the days we are in session, they may submit to you questions for the record.

I suggest you take them very seriously, as I know that you do, answer them diligently so that we can have a smooth vote here in the Senate, which I hope—in this committee, which I hope then—we will send you to the Senate floor for a full vote.

But I am very honored to be sitting before you all and I really do hope that I get a chance to serve with you in the positions to which you have been nominated.

With that, this hearing is adjourned.

[Whereupon, at 4:27 p.m., the hearing was adjourned.]

Additional Material Submitted for the Record

World Health Organization

Fourth Meeting of the Intergovernmental Negotiating Body To Draft and Negotiate a WHO Convention, Agreement or Other International Instrument on Pandemic Prevention, Preparedness and Response

PROVISIONAL AGENDA ITEM 3

FEBRUARY 2023

ZERO DRAFT OF THE WHO CA+ FOR THE CONSIDERATION OF THE
INTERGOVERNMENTAL NEGOTIATING BODY AT ITS FOURTH MEETING

WHO convention, agreement or other international instrument on pandemic
prevention, preparedness and response (“WHO CA+”)

BACKGROUND, METHODOLOGY AND APPROACH

1. In recognition of the catastrophic failure of the international community in showing solidarity and equity in response to the coronavirus disease (COVID-19) pandemic, the World Health Assembly convened a second special session in December 2021, where it established an Intergovernmental Negotiating Body (INB) open to all Member States and Associate Members (and regional economic integration organizations as appropriate) to draft and negotiate a WHO convention, agreement or

other international instrument on pandemic prevention, preparedness and response, with a view to its adoption under Article 19, or under other provisions of the WHO Constitution as may be deemed appropriate by the INB.

2. In furtherance of the above mandate, the INB established a process and systematic approach for its work and agreed, at its second meeting, that the instrument should be legally binding and contain both legally binding as well as non-legally binding elements. In that regard, the INB identified Article 19 of the WHO Constitution as the comprehensive provision under which the instrument should be adopted, without prejudice to also considering, as work progressed, the suitability of Article 21, and requested the Bureau to develop and present to the INB a conceptual zero draft of the instrument (referred to herein as the “WHO CA+”) for discussion.

3. At its third meeting, the INB agreed that the Bureau, with support from the WHO Secretariat, would prepare the zero draft of the WHO CA+, based on the conceptual zero draft and input received during the third meeting of the INB, with legal provisions. The INB further agreed that the zero draft would be considered at its fourth meeting as a basis for commencing negotiations at that meeting, it being understood that the zero draft will be without prejudice to the position of any delegation and following the principle that “nothing is agreed until everything is agreed”.

4. Accordingly, the Bureau has prepared this zero draft of the WHO CA+ for consideration by the INB at its fourth meeting.

ZERO DRAFT, FOR THE CONSIDERATION OF THE INTERGOVERNMENTAL NEGOTIATING
BODY AT ITS FOURTH MEETING

The Parties to this WHO CA+,¹

1. *Reaffirming* the principle of sovereignty of States Parties in addressing public health matters, notably pandemic prevention, preparedness, response and health systems recovery,

2. *Recognizing* the critical role of international cooperation and obligations for States to act in accordance with international law, including to respect, protect and promote human rights,

3. *Recognizing* that all lives have equal value, and that therefore equity should be a principle, an indicator and an outcome of pandemic prevention, preparedness and response,

4. *Recalling* the preamble to the Constitution of the World Health Organization, which states that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition, and that unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger,

5. *Recognizing* the central role of WHO, as the directing and coordinating authority on international health work, in pandemic prevention, preparedness, response and recovery of health systems, and in convening and generating scientific evidence, and, more generally, fostering multilateral cooperation in global health governance,

6. *Noting* that a pandemic situation is extraordinary in nature, requiring States Parties to prioritize effective and enhanced cooperation with development partners and other relevant stakeholders to address extraordinary challenges,

7. *Recognizing* that the international spread of disease is a global threat with serious consequences for public health, human lives, livelihoods, societies and economies that calls for the widest possible international cooperation and participation of all countries and relevant stakeholders in an effective, coordinated, appropriate and comprehensive international response,

8. *Recalling* the International Health Regulations of the World Health Organization and the role of States Parties and other stakeholders in preventing, protecting against, controlling and providing a public health response to the international spread of disease in ways that are commensurate with, and restricted to, public

¹The Bureau proposes, consistent with Member State submissions, that the preambular section be discussed at the appropriate point in the negotiations.

health risks, and which avoid unnecessary interference with international traffic and trade,

9. *Recognizing* that national action plans for pandemic prevention, preparedness, response and recovery of health systems should take into account all people, including communities and persons in vulnerable situations, places and ecosystems,

10. *Recognizing* that the threat of pandemics is a reality and that pandemics have catastrophic health, social, economic and political consequences, especially for persons in vulnerable situations, pandemic prevention, preparedness, response and recovery of health systems must be systemically integrated into whole-of-government and whole-of-society approaches, to ensure adequate political commitment, resourcing and attention across sectors, and thereby break the cycle of “panic and neglect”,

11. *Reflecting* on the lessons learned from coronavirus disease (COVID-19) and other outbreaks with global and regional impact, including, inter alia, HIV, Ebola virus disease, Zika virus disease, Middle East respiratory syndrome and monkeypox/mpox, and with a view to addressing and closing gaps and improving future response,

12. *Recognizing* that urban settings are especially vulnerable to infectious diseases and epidemics, and the important role that communities have in preventing, preparing for and responding to health emergencies,

13. *Noting* with concern that the COVID-19 pandemic has revealed serious shortcomings in preparedness—especially at city and urban levels—for timely and effective prevention and detection of, as well as response to, potential health emergencies, indicating the need to better prepare for future health emergencies,

14. *Noting* that in 2021 women comprised more than 70% of the global health and care workforce and an even higher proportion of the informal health workforce, and during the COVID-19 response were disproportionately impacted by the burden of the pandemic, notably on health workers,

15. *Reaffirming* the importance of diverse, gender-balanced and equitable representation and expertise in pandemic prevention, preparedness, response and health system recovery decision-making, as well as in the design and implementation of activities,

16. *Expressing* concern that those affected by conflict and insecurity are particularly at risk of being left behind during pandemics,

17. *Recognizing* the synergies between multisectoral collaboration—through whole-of-government and whole-of-society approaches at the country and community level—and international, regional and cross-regional collaboration, coordination and global solidarity, and their importance to achieving sustainable improvements in pandemic prevention, preparedness and effective response,

18. *Acknowledging* that the repercussions of pandemics, beyond health and mortality, on socioeconomic impacts in a broad array of sectors, including economic growth, employment, trade, transport, gender inequality, food insecurity, education, environment and culture, require a multisectoral whole-of-society approach to pandemic prevention, preparedness, response and recovery of health systems,

19. *Acknowledging* the impacts of determinants of health across different sectors and communities on the vulnerability of communities, especially persons in vulnerable situations, to the spread of pathogens and the evolution of an outbreak,

20. *Underscoring* that multilateral and regional cooperation and good governance are essential to prevent, prepare for, respond to, and recovery of health systems from, pandemics that, by definition, know no borders and require collective action and solidarity,

21. *Emphasizing* that policies and interventions on pandemic prevention, preparedness, response and recovery of health systems should be supported by the best available scientific evidence and adapted to take into account resources and capacities at subnational and national levels,

22. *Reaffirming* the importance of access to timely information, as well as efficient risk communication that manages to counteract pandemics,

23. *Understanding* that most emerging infectious diseases originate in animals, including wildlife and domesticated animals, then spill over to people,

24. *Recognizing* the importance of working synergistically with other relevant areas, under a One Health approach, as well as the importance and public health impact of growing possible drivers of pandemics, which need to be addressed as a means of preventing future pandemics and protecting public health,

25. *Noting* that antimicrobial resistance is often described as a silent pandemic and that it could be an aggravating factor during a pandemic,

26. *Reaffirming* the importance of a One Health approach and the need for synergies between multisectoral and cross-sectoral collaboration at national, regional and international levels to safeguard human health, detect and prevent health threats at the animal and human interface, in particular zoonotic spill-over and mutations, and to sustainably balance and optimize the health of people, animals and ecosystems,

27. *Acknowledging* the creation of the Quadripartite (WHO, the Food and Agriculture Organization of the United Nations, the World Organisation for Animal Health and the United Nations Environment Programme) to better address any One Health-related issue,

28. *Reiterating* the need to work towards building and strengthening resilient health systems to advance universal health coverage, as an essential foundation for effective pandemic prevention, preparedness, response and recovery of health systems, and to adopt an equitable approach to prevention, preparedness, response and recovery activities, including to mitigate the risk that pandemics exacerbate existing inequities in access to services,

29. *Recognizing* that health is a precondition for, and an outcome and indicator of, the social, economic and environmental dimensions of sustainable development and the implementation of the 2030 Agenda for Sustainable Development,

30. *Recognizing* that pandemics have a disproportionately heavy impact on front-line workers, notably health workers, the poor and persons in vulnerable situations, with repercussions on health and development gains, in particular in developing countries, thus hampering the achievement of universal health coverage and the Sustainable Development Goals, with their shared commitment to leave no one behind,

31. *Recognizing* the need to enhance global solidarity and effective global coordination, as well as accountability and transparency, to avoid serious negative impacts of public health threats with pandemic potential, especially on countries with limited capacities and resources,

32. *Acknowledging* that there are significant differences in countries' capacities to prevent, prepare for, respond to and recover from pandemics,

33. *Deeply concerned* by the gross inequities that hindered timely access to medical and other COVID-19 pandemic-related products, notably vaccines, oxygen supplies, personal protective equipment, diagnostics and therapeutics,

34. *Reiterating* the determination to achieve health equity through resolute action on social, environmental, cultural, political and economic determinants of health, such as eradicating hunger and poverty, ensuring access to health and proper food, safe drinking water and sanitation, employment and decent work and social protection in a comprehensive intersectoral approach,

35. **Emphasizing** that, in order to make health for all a reality, individuals and communities need: equitable access to high quality health services without financial hardship; well-trained, skilled health workers providing quality, people-centred care; and committed policy-makers with adequate investment in health to achieve universal health coverage,

36. *Emphasizing* that improving pandemic prevention, preparedness, response and recovery of health systems relies on a commitment to mutual accountability, transparency and common but differentiated responsibility by all States Parties and relevant stakeholders,

37. *Recalling* the Doha Declaration on the TRIPS Agreement and Public Health of 2001 and reiterating that the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) does not and should not prevent Members of the World Trade Organization from taking measures to protect public health,

38. *Reaffirming* that the TRIPS Agreement can and should be interpreted and implemented in a manner supportive of the right of Members of the World Trade Organization to protect public health and, in particular, to promote access to medicines for all,

39. *Reaffirming* that Members of the World Trade Organization have the right to use, to the full, the TRIPS Agreement and the Doha Declaration on the TRIPS Agreement and Public Health of 2001, which provide flexibility to protect public health including in future pandemics,

40. *Recognizing* that protection of intellectual property rights is important for the development of new medical products, but also recognizing concerns about its effects

on prices, as well as' noting discussions/deliberations in relevant international organizations on, for instance, innovative options to enhance the global effort towards the production of, timely and equitable access to, and distribution of health technologies and know-how, by means that include local production,

41. *Recognizing* that protection of intellectual property rights is important for the development of new medicines, and also recognizing concerns about the negative effect on prices and on the production of, timely and equitable access to, and distribution of vaccines, treatments, diagnostics and health technologies and know-how,

42. *Recognizing* that intellectual property protection is important for the development of new medicines, and also recognizing concerns about its effect on prices, as well as noting discussions on enhancing global efforts towards the production of, timely and equitable access to, and distribution of health technologies and products,

43. *Recognizing* the concerns that intellectual property on life-saving medical technologies continues to pose threats and barriers to the full realization of the right to health and to scientific progress for all, particularly the effect on prices, which limits access options and impedes independent local production and supplies, as well as noting structural flaws in the institutional and operational arrangements in the global response to the COVID-19 pandemic, and the need to establish a future pandemic prevention, preparedness and response mechanism that is not based on a charity model,

44. *Reaffirming* the flexibilities and safeguards contained in the TRIPS Agreement and their importance for removing barriers to production of, and access to, pandemic-related products, as well as sustainable supply chains for their equitable distribution, while also recognizing the need for sustainable mechanisms to support transfer of technology and know-how to support the same,

45. *Reaffirming* the flexibilities and safeguards contained in the TRIPS Agreement and their importance for ensuring access to technologies, knowledge and full transfer of technology and knowhow for production and supply of pandemic-related products, as well as their equitable distribution,

46. *Recalling* resolution WHA61.21 (2008) on the global strategy and plan of action on public health, innovation and intellectual property, which lays out a road map for a global research and development system supportive of access to appropriate and affordable medical countermeasures, including those needed in a pandemic,

47. *Recognizing* that publicly funded research and development plays an important role in the development of pandemic-related products and, as such, requires conditionalities,

48. *Underscoring* the importance of promoting early, safe, transparent and rapid sharing of samples and genetic sequence data of pathogens, as well as the fair and equitable sharing of benefits arising therefrom, taking into account relevant national and international laws, regulations, obligations and frameworks, including the International Health Regulations, the Convention on Biological Diversity and its Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, and the Pandemic Influenza Preparedness Framework, and also mindful of the work being undertaken in other relevant areas and by other United Nations and multilateral organizations or agencies,

49. *Acknowledging* that pandemic prevention, preparedness, response and recovery of health systems at all levels and in all sectors, particularly in developing countries, require predictable, sustainable and sufficient financial, human, logistical and technical resources,

Have agreed as follows:

The world together equitably

Vision: The WHO CA+¹ aims for a world where pandemics are effectively controlled to protect present and future generations from pandemics and their devastating consequences, and to advance the enjoyment of the highest attainable standard of health for all peoples, on the basis of equity, human rights and solidarity, with a view to achieving universal health coverage, while recognizing the sovereign rights of countries, acknowledging the differences in levels of development among countries, respecting their national context and recognizing existing relevant international instruments. The WHO CA+ aims to achieve greater equity and effec-

¹At its second meeting in July 2022, the INB identified that Article 19 of the WHO Constitution is the comprehensive provision under which the WHO CA+ should be adopted, without prejudice to also considering, as work progressed, the suitability of Article 21.

tiveness for pandemic prevention, preparedness and response through the fullest national and international cooperation.

Chapter I. Introduction

Article 1. Definitions and use of terms

1. For the purposes of this WHO CA+:

- (a) “genomic sequences” means the order of nucleotides identified in a molecule of DNA or RNA. They contain the full genetic information that determines the biological characteristics of an organism or a virus;
- (b) “pandemic” means the global spread of a pathogen or variant that infects human populations with limited or no immunity through sustained and high transmissibility from person to person, overwhelming health systems with severe morbidity and high mortality, and causing social and economic disruptions, all of which require effective national and global collaboration and coordination for its control;²
- (c) “pandemic-related products” means products that may be needed for pandemic prevention, preparedness, response and/or recovery, and which may include, without limitation, diagnostics, therapeutics, medicines, vaccines, personal protective equipment, syringes and oxygen;
- (d) “persons in vulnerable situations” includes indigenous peoples, persons belonging to national or ethnic, religious or linguistic minorities, refugees, migrants, asylum seekers, stateless persons, persons in humanitarian settings and fragile contexts, marginalized communities, older people, persons with disabilities, persons with health conditions, pregnant women, infants, children and adolescents, and those living in fragile areas, such as Small Island Developing States;
- (e) “pathogen with pandemic potential” means ...;
- (f) “One Health approach” means ...;
- (g) “One Health surveillance” means ...;
- (h) “infodemic” means ...;
- (i) inter-pandemic” means ...;
- (j) “current health expenditure” means ...;
- (k) “universal health coverage” means ...; and
- (l) “recovery” means ...;

Article 2. Relationship with other international agreements and instruments

1. The implementation of the WHO CA+ shall be guided by the Charter of the United Nations and the Constitution of the World Health Organization. The WHO CA+ and other relevant international instruments, including the International Health Regulations, should be interpreted so as to be complementary, compatible and synergistic, and the WHO CA+ should be interpreted in a manner that promotes and supports the implementation and operationalization of the International Health Regulations and other relevant international instruments.³ In the event that any part of the WHO CA+ addresses areas or activities that may bear on the field of competence of other organizations or treaty bodies, appropriate steps will be taken to avoid duplication and promote synergies, compatibility and coherence, with a common goal of strengthened pandemic preparedness, prevention, response and health system recovery.

2. The provisions of the WHO CA+ shall not affect the rights and obligations of any Party under other existing international instruments and shall respect the competencies of other organizations and treaty bodies.

3. The provisions of the WHO CA+ shall in no way affect the right of Parties to enter into bilateral or multilateral instruments, including regional or subregional instruments, on issues relevant or additional to the WHO CA+, provided that such

²The INB is encouraged to conduct discussions on the matter of the declaration of a “pandemic” by the WHO Director-General under the WHO CA+ and the modalities and terms for such a declaration, including interactions with the International Health Regulations and other relevant mechanisms and instruments. In this connection See Article 15.2 hereof.

³The INB is encouraged to conduct discussions on the matter of making explicit the synergies and concrete complementarity of the WHO CA+ with the International Health Regulations and other relevant mechanisms and instruments.

instruments are compatible with their obligations under the WHO CA+. The Parties concerned shall communicate such instruments to the Governing Body for the WHO CA+ through the Secretariat.

Chapter II. Objective, guiding principles and scope

Article 3. Objective

The objective of the WHO CA+, guided by equity, the vision, principles and rights set out herein, is to prevent pandemics, save lives, reduce disease burden and protect livelihoods, through strengthening, proactively, the world's capacities for preventing, preparing for and responding to, and recovery of health systems from, pandemics. The WHO CA+ aims to comprehensively and effectively address systemic gaps and challenges that exist in these areas, at national, regional and international levels, through substantially reducing the risk of pandemics, increasing pandemic preparedness and response capacities, progressive realization of universal health coverage and ensuring coordinated, collaborative and evidence-based pandemic response and resilient recovery of health systems at community, national, regional and global levels.

Article 4. Guiding principles and rights

To achieve the objective of the WHO and to implement its provisions, the Parties will be guided, *inter alia*, by the principles and rights set out below:

1. **Respect for human rights**—The implementation of the WHO CA+ shall be with full respect for the dignity, human rights and fundamental freedoms of persons, and each Party shall protect and promote such freedoms.

2. **The right to health**—The enjoyment of the highest attainable standard of health, defined as a state of complete physical, mental and social well-being, is one of the fundamental rights of every human being without distinction of age, race, religion, political belief, economic or social condition.

3. **Sovereignty**—States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to determine and manage their approach to public health, notably pandemic prevention, preparedness, response and recovery of health systems, pursuant to their own policies and legislation, provided that activities within their jurisdiction or control do not cause damage to their peoples and other countries. Sovereignty also covers the rights of States over their biological resources.

4. **Equity**—The absence of unfair, avoidable or remediable differences, including in their capacities, among and within countries, including between groups of people, whether those groups are defined socially, economically, demographically, geographically or by other dimensions of inequality, is central to equity. Effective pandemic prevention, preparedness, response and recovery cannot be achieved without political will and commitments in addressing the structural challenges in inequitable access to fair, equitable and timely access to affordable, safe and efficacious pandemic-related products and services, essential health services, information and social support, as well as tackling the inequities in terms of technology, health workforce, infrastructure and financing, among other aspects.

5. **Solidarity**—The effective prevention of, preparedness for and response to pandemics requires national, international, multilateral, bilateral and multisectoral collaboration, coordination and cooperation, through global unity, to achieve the common interest of a fairer, more equitable and better prepared world.

6. **Transparency**—The effective prevention of, preparedness for and response to pandemics depends on transparent, open and timely sharing, access to and disclosure of accurate information, data and other relevant elements that may come to light (including biological samples, genomic sequence data and clinical trial results), for risk assessment and control measures, and development of pandemic-related products and services, notably through a whole-of-government and whole-of-society approach, based on, and guided by, the best-available scientific evidence, consistent with national, regional and international privacy and data protection rules, regulations and laws.

7. **Accountability**—States are accountable for strengthening and sustaining their health systems' capacities and public health functions to provide adequate health and social measures by adopting and implementing legislative, executive, administrative and other measures for fair, equitable, effective and timely pandemic prevention, preparedness, response and recovery of health systems. All Parties shall cooperate with other States and relevant international organizations, in order to col-

lectively strengthen, support and sustain capacities for global prevention, preparedness, response and recovery of health systems.

8. Common but differentiated responsibilities and capabilities in pandemic prevention, preparedness, response and recovery of health systems—All States are responsible for the health of their people, including pandemic prevention, preparedness, response and recovery, and previous pandemics have demonstrated that no one is safe until everyone is safe. Given that the health of all peoples is dependent on the fullest cooperation of individuals and States, all Parties are bound by the obligations of the WHO CA+. States that hold more resources relevant to pandemics, including pandemic-related products and manufacturing capacity, should bear, where appropriate, a commensurate degree of differentiated responsibility with regard to global pandemic prevention, preparedness, response and recovery. With the aim of supporting every Party to achieve the highest level of proven and sustained capacity, full consideration and prioritization are required of the specific needs and special circumstances of developing country Parties, especially those that (i) are particularly vulnerable to adverse effects of pandemics; (ii) do not have adequate capacities to respond to pandemics; and (iii) potentially bear a disproportionately high burden.

9. Inclusiveness—The active engagement with, and participation of, all relevant stakeholders and partners across all levels, consistent with relevant and applicable international and national guidelines, rules and regulations (including those relating to conflicts of interest), is fundamental for mobilizing resources and capacities to support pandemic prevention, preparedness, response and health systems recovery.

10. Community engagement—Full engagement of communities in prevention, preparedness, response and recovery of health systems is essential to mobilize social capital, resources, adherence to public health and social measures, and to gain trust in government.

11. Gender equality—Pandemic prevention, preparedness, response and recovery of health systems will be guided by and benefit from the goal of equal participation and leadership of men and women in decision-making with a particular focus on gender equality, taking into account the specific needs of all women and girls, using a country-driven, gender responsive/transformational, participatory and fully transparent approach.

12. Non-discrimination and respect for diversity—All individuals should have fair, equitable and timely access to pandemic-related products, health services and support, without fear of discrimination or distinction based on race, religion, political belief, economic or social condition.

13. Rights of individuals and groups at higher risk and in vulnerable situations—Nationally determined and prioritized actions, including support, will take into account communities and persons in vulnerable situations, places and ecosystems. Indigenous peoples, persons belonging to national or ethnic, religious or linguistic minorities, refugees, migrants, asylum seekers, stateless persons, persons in humanitarian settings and fragile contexts, marginalized communities, older people, persons with disabilities, persons with health conditions, pregnant women, infants, children and adolescents, for example, are disproportionately affected by pandemics, owing to social and economic inequities, as well as legal and regulatory barriers, that may prevent them from accessing health services.

14. One Health—Multisectoral and transdisciplinary actions should recognize the interconnection between people, animals, plants and their shared environment, for which a coherent, integrated and unifying approach should be strengthened and applied with an aim to sustainably balance and optimize the health of people, animals and ecosystems, including through, but not limited to, attention to the prevention of epidemics due to pathogens resistant to antimicrobial agents and zoonotic diseases.

15. Universal health coverage—The WHO CA+ will be guided by the aim of achieving universal health coverage, for which strong and resilient health systems are of key importance, as a fundamental aspect of achieving the Sustainable Development Goals through promoting health and well-being for all at all ages.

16. Science and evidence-informed decisions—Science, evidence and findable, accessible, interoperable and reusable data should inform all public health decisions and the development and implementation of guidance for pandemic prevention, preparedness, response and recovery of health systems.

17. Central role of WHO—As the directing and coordinating authority on global health, and the leader of multilateral cooperation in global health governance, WHO

is fundamental to strengthening pandemic prevention, preparedness, response and recovery of health systems.

18. **Proportionality**—Due consideration should be given, including through regular monitoring and policy evaluation, to ensuring that the impacts of measures aimed at preventing, preparing for and responding to pandemics are proportionate to their intended objectives and that the benefits arising therefrom outweigh costs.

Article 5. Scope

The WHO CA+ applies to pandemic prevention, preparedness, response and health systems recovery at national, regional and international levels.

Chapter III. Achieving equity in, for and through pandemic prevention, preparedness, response and recovery of health systems

Article 6. Predictable global supply chain and logistics network

1. The Parties, recognizing the shortcomings of the preparedness for and response to the COVID-19 pandemic, agree on the need for an adequate, equitable, transparent, robust, agile, effective and diverse global supply chain and logistics network for pandemic prevention, preparedness, response and recovery.

2. The WHO Global Pandemic Supply Chain and Logistics Network (the “Network”) is hereby established.

3. The Parties shall support the Network’s development and operationalization, and participate in the Network, within the framework of WHO, including through sustaining it in inter-pandemic times as well as appropriate scale-up in the event of a pandemic. In that regard, the Parties shall:

(a) determine the types and size of products needed for robust pandemic prevention, preparedness and response, including costs and logistics for establishing and maintaining strategic stockpiles of such products, by working with relevant stakeholders and experts, guided by scientific evidence and regular epidemiological risk assessments;

(b) assess anticipated demand for, and map sources of, manufacturers and suppliers, including raw materials and other necessary inputs, for sustainable production of pandemic-related products (especially active pharmaceutical ingredients), including manufacturing capacities, and identify the most efficient multilateral and regional purchasing mechanisms, including pooled mechanisms and in-kind contributions, as well as promoting transparency in cost and pricing of all elements along the supply chain;

(c) develop a mechanism to ensure the fair and equitable allocation of pandemic-related products based on public health risks and needs;

(d) map existing delivery and distribution options, and establish or operationalize, as appropriate, international consolidation hubs, as well as regional staging areas, to ensure that transport of supplies is streamlined and uses the most appropriate means for the products concerned; and

(e) develop a dashboard for pandemic-related product supply capacity and availability, with regular reporting, and conduct regular tabletop exercises to test the functioning of the Network.

4. The Parties commit not to impose regulations that unduly interfere with the trade in, or of, pharmaceutical raw materials and ingredients, mindful of the need for unhindered access to pandemic-related products.

5. The Parties commit to safeguard the humanitarian principles of humanity, neutrality, impartiality and independence, and to facilitate the unimpeded access of humanitarian staff and cargo. The commitment to facilitate such access is understood to be legally binding and to apply in all circumstances, consistent with humanitarian principles.

6. The Parties, working through the Governing Body for the WHO CA+, shall take all appropriate measures to establish and start functioning of the Network no later than XX. It is understood that giving effect to this Article immediately upon adoption or the WHO shall be considered pursuant to, and within the meaning of, Article 35 of the WHO CA+.

Article 7. Access to technology: promoting sustainable and equitably distributed production and transfer of technology and know-how

1. The Parties recognize that inequitable access to pandemic-related products (including but not limited to vaccines, therapeutics and diagnostics) should be ad-

ressed by increased manufacturing capacity that is more equitably, geographically and strategically distributed.

2. The Parties, working through the Governing Body for the WHO CA+, shall strengthen existing and develop innovative multilateral mechanisms that promote and incentivize relevant transfer of technology and know-how for production of pandemic-related products, on mutually agreed terms, to capable manufacturers, particularly in developing countries.

3. During inter-pandemic times, all Parties commit to establish these mechanisms and shall:

(a) coordinate, collaborate, facilitate and incentivize manufacturers of pandemic-related products to transfer relevant technology and know-how to capable manufacturer(s) (as defined below) on mutually agreed terms, including through technology transfer hubs and product development partnerships, and to address the needs to develop new pandemic-related products in a short time frame;

(b) strengthen coordination, with relevant international organizations, including United Nations agencies, on issues related to public health, intellectual property and trade, including timely matching of supply to demand and mapping manufacturing capacities and demand;

(c) encourage entities, including manufacturers within their respective jurisdictions, that conduct research and development of pre-pandemic and pandemic-related products, in particular those that receive significant public financing for that purpose, to grant, on mutually agreed terms, licences to capable manufacturers, notably from developing countries, to use their intellectual property and other protected substances, products, technology, know-how, information and knowledge used in the process of pandemic response product research, development and production, in particular for pre-pandemic and pandemic-related products; and

(d) collaborate to ensure equitable and affordable access to health technologies that promote the strengthening of national health systems and mitigate social inequalities.

4. In the event of a pandemic, the Parties:

(a) will take appropriate measures to support time-bound waivers of intellectual property rights that can accelerate or scale up manufacturing of pandemic-related products during a pandemic, to the extent necessary to increase the availability and adequacy of affordable pandemic-related products;

(b) will apply the full use of the flexibilities provided in the TRIPS Agreement, including those recognized in the Doha Declaration on the TRIPS Agreement and Public Health of 2001 and in Articles 27, 30 (including the research exception and “Bolar” provision), 31 and 3 Ibis of the TRIPS Agreement;

(c) shall encourage all holders of patents related to the production of pandemic-related products to waive, or manage as appropriate, payment of royalties by developing country manufacturers on the use, during the pandemic, of their technology for production of pandemic-related products, and shall require, as appropriate, those that have received public financing for the development of pandemic-related products to do so; and

(d) shall encourage all research and development institutes, including manufacturers, in particular those receiving significant public financing, to waive, or manage as appropriate, royalties on the continued use of their technology for production of pandemic-related products.

5. For purposes of this Article, “capable manufacturer” refers to an entity that operates in a manner that is consistent with national and international guidelines and regulations, including biosafety and biosecurity standards.

Article 8. Regulatory strengthening

1. The Parties shall strengthen the capacity and performance of national regulatory authorities and increase the harmonization of regulatory requirements at the international and regional level, including, as applicable, through mutual recognition agreements.

2. Each Party shall build and strengthen its country regulatory capacities and performance for timely approval of pandemic-related products and, in the event of a pandemic, accelerate the process of approving and licensing pandemic-related products for emergency use in a timely manner, including the sharing of regulatory dossiers with other institutions.

3. The Parties shall, as appropriate, monitor and regulate against substandard and falsified pandemic-related products, through existing Member State mechanisms on substandard and falsified medical products.

Article 9. Increasing research and development capacities

1. The Parties recognize the need to build and strengthen capacities and institutions for innovative research and development for pandemic-related products, particularly in developing countries, and the need for information sharing through open science approaches for rapid sharing of scientific findings and research results.

2. With a view to promoting greater sharing of knowledge and transparency, each Party, when providing public funding for research and development for pandemic prevention, preparedness, response and recovery of health systems, shall, taking into account the extent of the public funding received:

(a) promote the free, public dissemination of the results of publicly and government-funded research for the development of pandemic-related products;

(b) endeavour to include terms and conditions on prices of products, allocation, data sharing and transfer of technology, as appropriate, and publication of contract terms;

(c) ensure that promoters of research for pandemic-related products assume an appropriate level of the associated risk;

(d) promote and incentivize technology co-creation and joint venture initiatives; and

(e) establish appropriate conditions for publicly funded research and development, including on distributed manufacturing, licensing, technology transfer and pricing policies.

3. Parties shall increase the transparency of information about funding for research and development for pandemic-related products by:

(a) disclosing information on public funding for research and development of potential pandemic-related products and provisions to enhance the availability and accessibility of the resulting work, including freely available and publicly accessible publications and public reporting of the relevant patents;

(b) making it compulsory for manufacturers that receive public funding for the production of pandemic-related products to disclose prices and contractual terms for public procurement in times of pandemics, taking into account the extent of the public funding received; and

(c) encouraging manufacturers that receive other funds, external to the manufacturer, for the production of pandemic-related products to disclose prices and contractual terms for public procurement in times of pandemics.

4. Each Party should encourage non-State actors to participate in and accelerate innovative research and development for addressing novel pathogens, pathogens resistant to antimicrobial agents and emerging and re-emerging diseases with pandemic potential.

5. The Parties shall establish, no later than XX, with reference to existing models, a global compensation mechanism for injuries resulting from pandemic vaccines.

6. Pending establishment of such global compensation mechanism, each Party shall, in contracts for the supply or purchase of pandemic-related products, endeavour to exclude buyer/recipient indemnity clauses of indefinite or excessive duration.

7. In the conclusion of contracts for the supply or purchase of pandemic-related products, each Party shall endeavour to exclude confidentiality provisions that serve to limit disclosure of terms and conditions.

8. Each Party shall, as applicable, implement and apply international standards for oversight of and reporting on laboratories and research facilities that carry out work to genetically alter organisms to increase their pathogenicity and transmissibility, in order to prevent accidental release of these pathogens, while ensuring that these measures do not create any unnecessary administrative hurdles for research.

9. The Parties are encouraged to promote and strengthen knowledge translation and evidence-based communication tools and strategies relating to pandemic prevention, preparedness, response and recovery, at local, national, regional and international levels.

10. The Parties acknowledge the need to take steps, individually and collectively, to develop strong, resilient national, regional and international clinical research ecosystems. In that regard, the Parties, as appropriate, commit to:

- (a) fostering and coordinating clinical research and clinical trials, including, as appropriate, through existing coordination mechanisms;
- (b) ensuring equitable access to resources (funding or in-kind), clinical research and clinical trials, so that resources are deployed optimally and efficiently;
- (c) supporting transparent and rapid reporting of clinical research and clinical trial results, to ensure evidence is available in a timely manner to inform national, regional and international decision-making; and
- (d) disclosing disaggregated information, for instance by gender and age, to the extent possible and as appropriate, on the results of clinical research and clinical trials relating to pandemic prevention, preparedness, response and recovery.

Article 10. WHO Pathogen Access and Benefit-Sharing System

1. The need for a multilateral, fair, equitable and timely system for sharing of, on an equal footing, pathogens with pandemic potential and genomic sequences, and benefits arising therefrom, that applies and operates in both inter-pandemic and pandemic times, is hereby recognized. In pursuit thereof, it is agreed to establish the WHO Pathogen Access and Benefit-Sharing System (the “PABS System”) under this WHO CA+. The Parties are mindful that the PABS System, or parts thereof, could be adopted under Article 21 of the WHO Constitution, should such an approach be agreed. The terms of the PABS System shall be developed no later than XX with a view to their provisional application consistent with Article 35 hereof.

2. The PABS System shall cover all pathogens with pandemic potential, including their genomic sequences, as well as access to benefits arising therefrom, and ensure that it operates synergistically with other relevant access and benefit-sharing instruments.

3. The PABS System shall include the following elements and shall be regulated as follows:

Access to pathogens with pandemic potential

(a) Each Party, through its relevant and authorized laboratories, shall, in a rapid, systematic and timely manner: (i) provide pathogens with pandemic potential from early infections due to pathogens with pandemic potential or subsequent variants to a laboratory recognized or designated as part of an established WHO coordinated laboratory network; and (ii) upload the genomic sequence of such pathogens with pandemic potential to one or more publicly accessible databases of its choice. For purposes hereof, “rapid” shall be understood to mean within XX hours from the time of identification of a pathogen with pandemic potential;

(b) The PABS System will be consistent with international legal frameworks, notably those for collection of patient specimens, material and data, and will promote effective, standardized, real-time global and regional platforms that promote findable, accessible, interoperable and reusable data available to all Parties;

(c) Access shall be accorded expeditiously by the laboratory recognized or designated as part of an established WHO coordinated laboratory network, subject to conclusion of a Standard Material Transfer Agreement, developed for the purposes of the PABS System, with the recipient in accordance with subsection (i) below. Any such access shall be subject to applicable biosafety and biosecurity rules and standards, and free of charge, or, when a fee is charged, it shall not exceed the minimal cost involved;

(d) Recipients of materials shall not claim any intellectual property or other rights that limit the facilitated access to pathogens with pandemic potential, or their genomic sequences or components, in the form received; and

(e) Access to pathogens with pandemic potential protected by intellectual and other property rights shall be consistent with relevant international agreements and with relevant national laws.

Fair and equitable benefit-sharing

(f) The Parties agree that benefits arising from facilitating access to pathogens with pandemic potential shall be shared fairly and equitably in accordance with

the provisions of the PABS System. Accordingly, it is understood that production of pandemic vaccines or other pandemic-related products, irrespective of the technology, information or material used, implies use of pathogens with pandemic potential, including the genomic sequence;

(g) Facilitated access shall be provided pursuant to a Standard Material Transfer Agreement, the form of which shall be set out in the PABS System and that shall contain the benefit-sharing options available to entities accessing pathogens with pandemic potential; and

(h) Such options shall include, but not be limited to: (i) real-time access by WHO to 20% of the production of safe, efficacious and effective pandemic-related products, including diagnostics, vaccines, personal protective equipment and therapeutics, to enable equitable distribution, in particular to developing countries, according to public health risk and need and national plans that identify priority populations. The pandemic-related products shall be provided to WHO on the following basis: 10% as a donation and 10% at affordable prices to WHO; (ii) commitments by the countries where manufacturing facilities are located that they will facilitate the shipment to WHO of these pandemic-related products by the manufacturers within their jurisdiction, according to schedules to be agreed between WHO and manufacturers.

Recognition of the PABS System as a specialized international instrument

(i) The PABS System, adopted under the WHO Constitution, is established with a view to its recognition as a specialized international access and benefit-sharing instrument within the meaning of the Nagoya Protocol;

(j) Upon adoption, each Party shall, in accordance with its national law, adopt and implement effective legislative, executive, administrative or other measures to give effect to such recognition at the domestic level and/or with respect to its relations with all other States and regional economic integration organizations, as appropriate; and

(k) The Parties shall support the further development and operationalization of the PABS System, including appropriate governance mechanisms, and participate in its operation, including through sustaining it in inter-pandemic times as well as appropriate scale-up in the event of a pandemic.

4. The Parties, working through the Governing Body for the WHO CA+, shall develop and finalize additional elements and tools necessary to fully implement, operationalize and sustain the PABS System, no later than XX.

Chapter IV. Strengthening and sustaining capacities for pandemic prevention, preparedness, response and recovery of health systems

Article 11. Strengthening and sustaining preparedness and health systems' resilience

1. The Parties recognize the need for resilient health systems, rooted in universal health coverage, to mitigate the shocks caused by pandemics and to ensure continuity of health services, thus preventing health systems from becoming overwhelmed.

2. The Parties are encouraged to enhance financial, technical and technological support, assistance and cooperation, in particular to developing countries, to strengthen health emergency prevention and preparedness consistent with the goal of universal health coverage. The Parties shall strive to accelerate the achievement of universal health coverage.

3. The Parties are encouraged to establish global, regional and national collaborative genomics networks that are dedicated to epidemiological genomic surveillance and the global sharing of emerging pathogens with pandemic potential.

4. Each Party shall, in accordance with national law, adopt policies and strategies, supported by implementation plans, across the public and private sectors and relevant agencies, consistent with relevant tools, including, but not limited to, the International Health Regulations, and strengthen and reinforce public health functions for:

(a) continued provision of quality routine and essential health services during pandemics, including clinical and mental health care and immunization, with a focus on primary health care and community-level interventions, and management of the backlog of and waiting lists for the diagnosis and treatment of, and interventions for, other illnesses, including care for patients with long-term effects from the pandemic disease;

- (b) strengthening human resource capacities during inter-pandemic times and during pandemics;
- (c) surveillance (including using a One Health approach), outbreak investigation and control, through interoperable early warning and alert systems;
- (d) sustained laboratory capacity for genomic sequencing, as well as for analysing and sharing such information;
- (e) prevention of epidemic-prone diseases, and emerging, growing or evolving public health threats with pandemic potential, notably at the human-animal-environment interface;
- (f) post-emergency health system recovery strategies;
- (g) strengthening public health laboratory and diagnostic capacities, and national, regional and global networks, including standards and protocols for infection prevention and control, and public health laboratory biosafety and biosecurity; and
- (h) creating and maintaining up-to-date, universal platforms and technologies for forecasting and timely information sharing, through appropriate capacities, including building digital health and data science capacities.

Article 12. Strengthening and sustaining a skilled and competent health and care workforce

1. Each Party shall take the necessary steps to safeguard, protect, invest in and sustain a skilled, trained, competent and committed health and care workforce, at all levels, in a gender-responsive manner, with due protection of its employment, civil and human rights and well-being, consistent with international obligations and relevant codes of practice, with the aim of increasing and sustaining capacities for pandemic prevention, preparedness and response, while maintaining essential health services. This includes, subject to national law:

- (a) strengthening in- and post-service training, deployment, remuneration, distribution and retention of the health and care workforce, including community health workers and volunteers; and
- (b) addressing gender disparities and inequalities within the health and care workforce, to ensure meaningful representation, engagement, participation and empowerment of all health and care workers, while addressing discrimination, stigma and inequality and eliminating bias, including unequal remuneration, and noting that women still often face significant barriers to taking leadership and decision-making roles.

2. The Parties are encouraged to enhance financial and technical support, assistance and cooperation, in particular to developing countries, to strengthen and sustain a skilled and competent health and care workforce at the national level.

3. The Parties shall invest in establishing, sustaining, coordinating and mobilizing an available, skilled and trained global public health emergency workforce that is deployable to support Parties upon request, based on public health need, in order to contain outbreaks and prevent an escalation of smallscale spread to global proportions.

4. The Parties will support the development of a network of training institutions, national and regional facilities and centres of expertise in order to establish common guidance to enable more predictable, standardized, timely and systematic response missions and deployment of the aforementioned public health emergency workforce.

Article 13. Preparedness monitoring, simulation exercises and universal peer review

1. Each Party shall undertake regular and systematic capacity assessments in order to identify capacity gaps and develop and implement comprehensive, inclusive, multisectoral national plans and strategies for pandemic prevention, preparedness and response, based on relevant tools developed by WHO.

2. Each Party shall periodically assess the functioning, readiness and gaps of its preparedness and multisectoral response, logistics and supply chain management, through appropriate simulation or tabletop exercises, that include risk and vulnerability mapping. Such exercises may consist of afteraction reviews of actual public health emergencies that can support identifying gaps, share lessons learned and improve national pandemic prevention, preparedness and response.

3. The Parties will convene multi-country or regional tabletop exercises every two years, with technical support from the WHO Secretariat, with an aim to identify gaps in multi-country response capacity.

4. Each Party shall provide annual (or biennial) reporting, building on existing relevant reporting where possible, on its pandemic prevention, preparedness, response and health systems recovery capacities.

5. The Parties shall develop and implement a transparent, effective and efficient pandemic prevention, preparedness and response monitoring and evaluation system, which includes targets and national and global standardized indicators, with necessary funding for developing countries for this purpose.

6. The Parties should establish, regularly update and broaden implementation of a universal peer review mechanism to assess national, regional and global preparedness capacities and gaps, by bringing nations together to support a whole-of-government and whole-of-society approach to strengthen national capacities for pandemic prevention, preparedness, response and health systems recovery, through technical and financial cooperation, mindful of the need to integrate available data and to engage national leadership at the highest level.

7. The Parties shall endeavour to implement the recommendations generated from review mechanisms, including prioritization of activities for immediate action.

Article 14. Protection of human rights

1. The Parties shall, in accordance with their national laws, incorporate non-discriminatory measures to protect human rights as part of their pandemic prevention, preparedness, response and recovery, with a particular emphasis on the rights of persons in vulnerable situations.

2. Towards this end, each Party shall:

(a) incorporate into its laws and policies human rights protections during public health emergencies, including, but not limited to, requirements that any limitations on human rights are aligned with international law, including by ensuring that: (i) any restrictions are nondiscriminatory, necessary to achieve the public health goal and the least restrictive necessary to protect the health of people; (ii) all protections of rights, including but not limited to, provision of health services and social protection programmes, are non-discriminatory and take into account the needs of people at high risk and persons in vulnerable situations; and (iii) people living under any restrictions on the freedom of movement, such as quarantines and isolations, have sufficient access to medication, health services and other necessities and rights; and

(b) endeavour to develop an independent and inclusive advisory committee to advise the government on human rights protections during public health emergencies, including on the development and implementation of its legal and policy framework, and any other measures that may be needed to protect human rights.

Chapter V. Coordination, collaboration and cooperation for pandemic prevention, preparedness, response and health system recovery

Article 15. Global coordination, collaboration and cooperation

1. The Parties recognize the need to coordinate, collaborate and cooperate, in the spirit of international solidarity, with competent international and regional inter-governmental organizations and other bodies in the formulation of cost-effective measures, procedures and guidelines for pandemic prevention, preparedness, response and recovery of health systems, and to this end shall:

(a) promote global, regional and national political commitment, coordination and leadership for pandemic prevention, preparedness, response and recovery by means that include establishing appropriate governance arrangements;

(b) support mechanisms that ensure global, regional and national policy decisions are science and evidence-based;

(c) develop, as necessary, and implement global policies that recognize the specific needs, and ensure the protection of, persons in vulnerable situations, indigenous peoples, and those living in fragile environments or areas, such as Small Island Developing States, who face multiple threats simultaneously, by gathering and analysing data, including data disaggregated by gender, to show the impact of policies on different groups;

(d) promote equitable gender, geographical and socioeconomic status, representation and participation, as well as the participation of youth and women, in global and regional decisionmaking processes, global networks and technical advisory groups;

(e) ensure solidarity with, and prevent stigmatization of, countries that report public health emergencies, as an incentive to facilitate transparency and timely reporting and sharing of information; and

(f) facilitate WHO with rapid access to outbreak areas within the Party's jurisdiction or control, including through the deployment of rapid response and expert teams, to assess and support the response to emerging outbreaks.

2. Recognizing the central role of WHO as the directing and coordinating authority on international health work, and mindful of the need for coordination with regional organizations, entities in the United Nations system and other intergovernmental organizations, the WHO Director-General shall, in accordance with terms set out herein, declare pandemics.

Article 16. Whole-of-government and whole-of-society approaches at the national level

1. The Parties recognize that pandemics begin and end in communities and are encouraged to adopt a whole-of-government and whole-of-society approach, including to empower and ensure communities' ownership of, and contribution to, community readiness and resilience for pandemic prevention, preparedness, response and recovery of health systems.

1. Reference is made to footnote 3 (Article 1), which invites the INB to propose and consider the development of modalities and terms for this provision.

2. Each Party shall establish, implement and adequately finance an effective national coordinating multisectoral mechanism with meaningful representation, engagement and participation of communities.

3. Each Party should promote effective and meaningful engagement of communities, civil society and non-State actors, including the private sector, as part of a whole-of-society response in decisionmaking, implementation, monitoring and evaluation, as well as effective feedback mechanisms.

4. Each Party shall develop, in accordance with its national context, comprehensive national pandemic prevention, preparedness, response and recovery plans pre-, post- and inter-pandemic that, inter alia: (i) identify and prioritize populations for access to pandemic-related products and health services; (ii) support timely and scalable mobilization of multidisciplinary surge capacity of human and financial resources, and facilitate timely allocation of resources to the frontline pandemic response; (iii) review the status of stockpiles and surge capacity of essential public health and clinical resources, and surge capacity in production of pandemic-related products; (iv) facilitate rapid and equitable restoration of public health capacities following a pandemic; and (v) promote collaboration with non-State actors, the private sector and civil society.

5. Each Party will take steps to address the social, environmental and economic determinants of health, and vulnerability conditions that contribute to the emergence and spread of pandemics, and prevent or mitigate the socioeconomic impacts of pandemics, including but not limited to, those affecting economic growth, the environment, employment, trade, transport, gender equality, education, social assistance, housing, food insecurity, nutrition and culture, and especially for persons in vulnerable situations.

6. Each Party should strengthen its national public health and social policies to facilitate a rapid, resilient response, especially for persons in vulnerable situations, including mobilizing social capital in communities for mutual support.

Article 17. Strengthening pandemic and public health literacy

1. The Parties commit to increase science, public health and pandemic literacy in the population, as well as access to information on pandemics and their effects, and tackle false, misleading, misinformation or disinformation, including through promotion of international cooperation. In that regard, each Party is encouraged to:

(a) promote and facilitate, at all appropriate levels, in accordance with national laws and regulations, development and implementation of educational and public awareness programmes on pandemics and their effects, by informing the public, communicating risk and managing infodemics through effective channels, including social media;

(b) conduct regular social listening and analysis to identify the prevalence and profiles of misinformation, which contribute to design communications and messaging strategies for the public to counteract misinformation, disinformation and false news, thereby strengthening public trust; and

(c) promote communications on scientific, engineering and technological advances that are relevant to the development and implementation of inter-

national rules and guidelines for pandemic prevention, preparedness, response and recovery of health systems, based on science and evidence.

2. The Parties will contribute to research and inform policies on factors that hinder adherence to public health and social measures, confidence and uptake of vaccines, use of appropriate therapeutics and trust in science and government institutions.

3. The Parties shall promote science and evidence-informed effective and timely risk assessment, including the uncertainty of data and evidence, when communicating such risk to the public.

Article 18. One Health

1. The Parties, recognizing that the majority of emerging infectious diseases and pandemics are caused by zoonotic pathogens, commit, in the context of pandemic prevention, preparedness, response and recovery of health systems, to promote and implement a One Health approach that is coherent, integrated, coordinated and collaborative among all relevant actors, with the application of existing instruments and initiatives.

2. The Parties, with an aim of safeguarding human health and detecting and preventing health threats, shall promote and enhance synergies between multisectoral and transdisciplinary collaboration at the national level and cooperation at the international level, in order to identify, conduct risk assessment of and share pathogens with pandemic potential at the interface between human, animal and environment ecosystems, while recognizing their interdependence.

3. The Parties will identify and integrate into relevant pandemic prevention and preparedness plans interventions that address the drivers of the emergence and re-emergence of disease at the human-animal-environment interface, including but not limited to climate change, land use change, wildlife trade, desertification and antimicrobial resistance.

4. The Parties commit to regularly assess One Health capacities, insofar as they relate to pandemic prevention, preparedness, response and recovery of health systems, and to identify gaps, policies and the funding needed to strengthen those capacities.

5. The Parties commit to strengthen synergies with other existing relevant instruments that address the drivers of pandemics, such as climate change, biodiversity loss, ecosystem degradation and increased risks at the human-animal-environment interface due to human activities.

6. The Parties commit to strengthen multisectoral, coordinated, interoperable and integrated One Health surveillance systems and strengthen laboratory capacity to identify and assess the risks and emergence of pathogens and variants with pandemic potential, in order to minimize spill-over events, mutations and the risks associated with zoonotic neglected tropical and vector-borne diseases, with a view to preventing small-scale outbreaks in wildlife or domesticated animals from becoming a pandemic.

7. Each Party shall:

(a) implement actions to prevent pandemics from pathogens resistant to antimicrobial agents, taking into account relevant tools and guidelines, through a One Health approach, and collaborate with relevant partners, including the Quadripartite;

(b) foster actions at national and community levels that encompass whole-of-government and whole-of-society approaches to control zoonotic outbreaks (in wildlife and domesticated animals), including engagement of communities in surveillance that identifies zoonotic outbreaks and antimicrobial resistance at source;

(c) develop and implement a national One Health action plan on antimicrobial resistance that strengthens antimicrobial stewardship in the human and animal sectors, optimizes antimicrobial consumption, increases investment in, and promotes equitable and affordable access to, new medicines, diagnostic tools, vaccines and other interventions, strengthens infection prevention and control in health care settings and sanitation and biosecurity in livestock farms, and provides technical support to developing countries;

(d) enhance surveillance to identify and report on pathogens resistant to antimicrobial agents in humans, livestock and aquaculture that have pandemic potential, building on the existing global reporting systems; and

(e) take the One Health approach into account at national, subnational and facility levels in order to produce science-based evidence, and support, facilitate and/or oversee the correct, evidence-based and risk-informed implementation of infection prevention and control.

Chapter VI. Financing for pandemic prevention, preparedness, response and recovery of health systems

Article 19. Sustainable and predictable financing

1. The Parties recognize the important role that financial resources play in achieving the objective of the WHO CA+ and the primary financial responsibility of national governments in protecting and promoting the health of their populations. In that regard, each Party shall:

(a) cooperate with other Parties, within the means and resources at its disposal, to raise financial resources for effective implementation of the WHO CA+ through bilateral and multilateral funding mechanisms;

(b) plan and provide adequate financial support in line with its national fiscal capacities for: (i) strengthening pandemic prevention, preparedness, response and recovery of health systems; (ii) implementing its national plans, programmes and priorities; and (iii) strengthening health systems and progressive realization of universal health coverage;

(c) commit to prioritize and increase or maintain, including through greater collaboration between the health, finance and private sectors, as appropriate, domestic funding by allocating in its annual budgets not lower than 5% of its current health expenditure to pandemic prevention, preparedness, response and health systems recovery, notably for improving and sustaining relevant capacities and working to achieve universal health coverage; and

(d) commit to allocate, in accordance with its respective capacities, XX% of its gross domestic product for international cooperation and assistance on pandemic prevention, preparedness, response and health systems recovery, particularly for developing countries, including through international organizations and existing and new mechanisms.

2. The Parties shall ensure, through innovative existing and/or new mechanisms, sustainable and predictable financing of global, regional and national systems, capacities, tools and global public goods, while avoiding duplication, promoting synergies and enhancing transparent and accountable governance of these mechanisms, to support strengthening pandemic prevention, preparedness, response and recovery of health systems, based on public health risk and need, particularly in developing countries.

3. The Parties shall promote, as appropriate, the use of bilateral, regional, sub-regional and other appropriate and relevant channels to provide funding for the development and strengthening of pandemic prevention, preparedness, response and health system recovery programmes of developing country Parties.

4. The Parties will facilitate rapid and effective mobilization of adequate financial resources, including from international financing facilities, to affected countries, based on public health need, to maintain and restore routine public health functions during and in the aftermath of a pandemic response.

5. The Parties represented in relevant regional and international intergovernmental organizations and financial and development institutions shall encourage these entities to provide financial assistance for developing country Parties to support them in meeting their obligations under the WHO CA+ without limiting their participation in or membership of these organizations.

Chapter VII. Institutional arrangements

Article 20. Governing Body for the WHO CA+

1. A governing body for the WHO CA+ is established to promote the effective implementation of the WHO CA+ (hereinafter, the "Governing Body").

2. The Governing Body shall be composed of:

(a) the Conference of the Parties (COP), which shall be the supreme organ of the Governing Body, composed of the Parties and constituting the sole decision-making organ; and

(b) the Officers of the Parties, which shall be the administrative organ of the Governing Body

3. The COP, as the supreme policy setting organ of the WHO CA+, shall keep under regular review every three years the implementation and outcome of the WHO CA+ and any related legal instruments that the COP may adopt, and shall make the decisions necessary to promote the effective implementation of the WHO CA+. The COP shall:

- (a) be composed of delegates representing Parties;
- (b) convene regular sessions of the Governing Body; the first of which shall take place not later than one year after the date of entry into force of the Convention, at a time and place to be determined by the WHO Secretariat, with the time and place of subsequent ordinary sessions to be determined by the COP upon a proposal of the Officers of the Parties;
- (c) convene special sessions of the Governing Body at such other times as may be deemed necessary by the COP, or at the written request of any Party, provided that, within 30 days of such a request being communicated to the Party/Parties by the Secretariat, it is supported by at least one third of the Parties; and
- (d) adopt its rules of procedure, as well as those of the other bodies of the Governing Body, which shall include decision-making procedures. Such procedures may include specified majorities required for the adoption of particular decisions.

4. The Officers of the Parties, as the administrative organ of the Governing Body, shall:

- (a) be composed of two Presidents, four Vice-Presidents and two rapporteurs, serving in their individual capacity and elected by the COP for XX years; and
- (b) endeavour to make decisions by consensus; however, if efforts to reach consensus are deemed by the Presidents to be unavailing, decisions may be taken by voting by the President and Vice-Presidents.

5. The Governing Body may further develop proposals for consideration by the WHO Executive Board, including to promote coordination and synergies between its Standing Committee on Health Emergency Prevention, Preparedness and Response and the Governing Body for the WHO CA+.

Article 21. Consultative Body for the WHO CA+

1. A consultative body for the WHO CA+ (the “Consultative Body”) is established to provide advice and technical inputs for the decision-making processes of the COP, without participating in any decision-making.

2. The Consultative Body will provide opportunity for broad, fair and equitable input to the COP for the decision-making processes of the COP. Further, the Consultative Body will provide opportunity for facilitation of implementation of COP decisions through modalities to be established by the COP. For the avoidance of doubt, it is understood that the Consultative Body will not participate in any decision-making, whether by consensus, voting or otherwise, of the COP.

3. The Consultative Body shall be composed of (i) delegates representing Parties; and (ii) representatives of the United Nations and its specialized and related agencies, as well as any State Member thereof or observers thereto not Party to the WHO CA+. Further, representatives of any body or organization, whether national or international, governmental or nongovernmental, private sector or public sector, which is qualified in matters covered by the WHO CA+, may be admitted upon formal application, in accordance with terms and conditions to be adopted by the COP, renewable every three years, unless at least one third of the Parties object.

4. The Consultative Body shall be subject to the oversight of the COP, including rules of procedure adopted by the COP.

Article 22. Oversight mechanisms for the WHO CA+

1. The Governing Body, at its first meeting, shall consider and approve cooperative procedures and institutional mechanisms to promote compliance with the provisions of the WHO CA+ and also address cases of non-compliance.

2. These measures, procedures and mechanisms shall include monitoring provisions and accountability measures to systematically address the achievement and gaps of capacities for prevention, preparedness, response and recovery of health systems, and the impact of pandemics, by means that include submission of periodic reports, reviews, remedies and actions, and to offer advice or assistance, where appropriate. These measures shall be separate from, and without prejudice to, the dispute settlement procedures and mechanisms under the WHO CA+.

Article 23. Assessment and review

The Governing Body shall establish a mechanism to undertake, three years after the entry into force of the WHO CA+, and thereafter every three years and upon modalities determined by the Governing Body, an evaluation of the relevance and effectiveness of the WHO CA+, and recommend corrective measures, including, if deemed appropriate, amendments to the text of the WHO CA+.

Article 24. Secretariat

A Secretariat for the WHO CA+ shall be provided by the Director-General of the World Health Organization. Secretariat functions shall be:

- (a) to make arrangements for sessions of the Governing Body and any subsidiary bodies and to provide them with services as required;
- (b) to transmit reports received by it pursuant to the WHO CA+;
- (c) to provide support to the Parties, on request, in the compilation and communication of information required in accordance with the provisions of the WHO CA+;
- (d) to prepare reports on its activities under the WHO CA+ under the guidance of the Governing Body, and submit them to the Governing Body;
- (e) to ensure, under the guidance of the Governing Body, the necessary coordination with the competent international and regional intergovernmental organizations and other bodies;
- (f) to enter, under the guidance of the Governing Body, into such administrative or contractual arrangements as may be required for the effective discharge of its functions; and to perform other secretariat functions specified by the WHO CA+ and such other functions as may be determined by the Governing Body.

Chapter VIII. Final provisions*Article 25. Reservations*

1. No reservations or exceptions may be made to this WHO CA+ unless expressly permitted by other articles of this WHO CA+.
2. A reservation incompatible with the object and purpose of the WHO CA+ shall not be permitted.
3. Reservations that are receivable in accordance with the above, once made, may be withdrawn at any time by notification to this effect addressed to the Depository, who shall then inform all Parties thereof. Such notification shall take effect on the date on which it is received.

Article 26. Confidentiality and data protection

Any exchange of data or information by the Parties pursuant to the WHO CA+ shall respect the right to privacy, including as such right is established under international law, and will be consistent with each Party's national law, as applicable, regarding confidentiality and privacy.

Article 27. Withdrawal

1. At any time after two years from the date on which the WHO CA+ has entered into force for a Party that Party may withdraw from the WHO CA+ by giving written notification to the Depository.
2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depository of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.
3. Any Party that withdraws from the WHO CA+ shall not be considered as having also withdrawn from any protocol to which it is a Party, or from any related instrument, unless such a Party formally withdraws from such other instruments, and does so in accordance with the relevant terms, if any, thereof.

Article 28. Right to vote

1. Each Party to the WHO CA+ shall have one vote in the COP, except as provided for in paragraph 2 of this Article.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their Member States that are Parties to the WHO CA+. Such an organization

shall not exercise its right to vote if any of its Member States exercises its right, and vice versa.

Article 29. Amendments to the WHO CA+

1. Any Party may propose amendments to the WHO CA+. Such amendments will be considered by the COP, which may invite views of the Consultative Body.

2. Amendments to the WHO CA+ shall be adopted by the COP. The text of any proposed amendment to the WHO CA+ shall be communicated to the Parties by the Secretariat at least three months before the session at which it is proposed for adoption. The Secretariat shall also communicate proposed amendments to the signatories of the WHO CA+ and, for information, to the Depositary.

3. The Parties shall make every effort to reach agreement by consensus on any proposed amendment to the WHO CA+. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a two-thirds majority vote of the Parties present and voting at the session. For purposes of this Article, Parties present and voting means Parties present and casting an affirmative or negative vote. Any adopted amendments shall be communicated by the Secretariat to the Depositary, who shall circulate it to all Parties for acceptance.

4. An amendment adopted in accordance with paragraph 3 of this Article shall enter into force, for those Parties having accepted it, on the ninetieth day after the date of receipt by the Depositary of an instrument of acceptance by at least two-thirds of the Parties.

5. The amendment shall enter into force for any other Party on the ninetieth day after the date on which that Party deposits with the Depositary its instrument of acceptance of the said amendment.

Article 30. Adoption and amendment of annexes to the WHO CA+ 1 The COP may adopt annexes to the WHO CA+ and amendments thereto.

2. Annexes to the WHO CA+ shall form an integral part thereof and, unless otherwise expressly provided, a reference to the WHO CA+ constitutes at the same time a reference to any annexes thereto.

3. Annexes shall be restricted to lists, forms and any other descriptive material relating to procedural, scientific, technical or administrative matters, and shall not be substantive in nature.

Article 31. Protocols to the WHO CA+

1. Any Party may propose protocols to the WHO CA+. Such proposals will be considered by the COP, which may invite the views of the Consultative Body.

2. The COP may adopt protocols to the WHO CA+. In adopting these protocols every effort shall be made to reach consensus. If all efforts at consensus have been exhausted and no agreement reached, the protocol shall as a last resort be adopted by a two-thirds majority vote of the Parties present and voting at the session. For the purposes of this Article, Parties present and voting means Parties present and casting an affirmative or negative vote.

3. The text of any proposed protocol shall be communicated to the Parties by the Secretariat at least three months before the session at which it is proposed for adoption.

4. States that are not Parties to the WHO CA+ may be Parties to a protocol thereof, provided the protocol so provides.

5. Any protocol to the WHO CA+ shall be binding only on the Parties to the protocol in question. Only Parties to a protocol may take decisions on matters exclusively relating to the protocol in question.

6. The requirements for entry into force of any protocol shall be established by that instrument.

Article 32. Signature

The WHO CA+ shall be open for signature by all Members of the World Health Organization, any States that are not Members of the World Health Organization but are members of the United Nations, and by regional economic integration organizations, at the World Health Organization headquarters in Geneva, immediately following its adoption by the World Health Assembly at the Seventy-seventh World Health Assembly, from XX May 2024 to XX July 2024, and thereafter at United Nations Headquarters in New York, from XX August 2024 to XX November 2024.

Article 33. Ratification, acceptance, approval, formal confirmation or accession

1. The WHO CA+ shall be subject to ratification, acceptance, approval or accession by States, and to formal confirmation or accession by regional economic integration organizations. It shall be open for accession from the day after the date on which the WHO CA+ is closed for signature. Instruments of ratification, acceptance, approval, formal confirmation or accession shall be deposited with the Depositary.

2. Any regional economic integration organization that becomes a Party to the WHO CA+ without any of its Member States being a Party shall be bound by all the obligations under the WHO CA+. In the case of those organizations, where one or more of its Member States is a Party to the WHO CA+, the organization and its Member States shall decide on their respective responsibilities for the performance of their obligations under the WHO CA+. In such cases, the organization and the Member States shall not be entitled to exercise rights under the WHO CA+ concurrently.

3. Regional economic integration organizations shall, in their instruments relating to formal confirmation or in their instruments of accession, declare the extent of their competence with respect to the matters governed by the WHO CA+. These organizations shall also inform the Depositary, who shall in turn inform the Parties, of any substantial modification in the extent of their competence.

Article 34. Entry into force

1. The WHO CA+ shall enter into force on the thirtieth day following the date of deposit of the thirtieth instrument of ratification, acceptance, approval, formal confirmation or accession with the Depositary.² For each State that ratifies, accepts or approves the WHO CA+ or accedes thereto after the conditions set out in paragraph I of this Article for entry into force have been fulfilled, the WHO CA+ shall enter into force on the thirtieth day following the date of deposit of its instrument of ratification, acceptance, approval or accession.

3. For each regional economic integration organization depositing an instrument of formal confirmation or an instrument of accession after the conditions set out in paragraph I of this Article for entry into force have been fulfilled, the WHO CA+ shall enter into force on the thirtieth day following the date of its depositing of the instrument of formal confirmation or of accession.

4. For the purposes of this Article, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by Member States of the Organization.

Article 35. Provisional application by the Parties, and actions to give effect to the provisions of the WHO CA+ by the World Health Assembly

1. The WHO CA+ may be applied provisionally, in whole or in part, by a signatory and/or Party that consents to its provisional application by so notifying the Depositary in writing at the time of signature of the instrument, or signature or deposit of its instrument of ratification, acceptance, approval, formal confirmation or accession. Such provisional application shall become effective from the date of receipt of the notification by the Secretary-General of the United Nations.

2. Provisional application by a signatory and/or Party shall terminate upon the entry into force of the WHO CA+ for that Party or upon notification by that signatory and/or Party to the Depositary in writing of its intention to terminate its provisional application.

3. Provisions of the WHO CA+ may be given effect as recommendations for all Member States of the World Health Organization under Article 23 of the WHO Constitution, and given effect as policies of the World Health Organization, understood as authoritative with respect to the Director-General, under Articles 18(a), 28(a) and 31 of the WHO Constitution.

Article 36. Settlement of disputes

1. In the event of a dispute between two or more Parties concerning the interpretation or application of the WHO CA+, the Parties concerned shall seek through diplomatic channels a settlement of the dispute through negotiation or any other peaceful means of their own choice, including good offices, mediation or conciliation. Failure to reach agreement by good offices, mediation or conciliation shall not absolve Parties to the dispute from the responsibility of continuing to seek to resolve it.

2. When ratifying, accepting, approving, formally confirming or acceding to the WHO CA+, or at any time thereafter, a Party may declare in writing to the Depositary that, for a dispute not resolved in accordance with paragraph 1 of this Article,

it accepts, as compulsory *ipso facto* and without special agreement, in relation to any Party accepting the same obligation: (i) submission of the dispute to the International Court of Justice; and/or (ii) ad hoc arbitration in accordance with procedures to be adopted by consensus by the Governing Body.

3. The provisions of this Article shall apply with respect to any protocol as between the Parties to the protocol, unless otherwise provided therein.

Article 37. Depositary

The Secretary-General of the United Nations shall be the Depositary of the WHO CA+ and amendments thereto and of protocols and annexes adopted in accordance with the terms of the WHO CA+.

Article 38. Authentic texts

The original of the WHO CA+, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
DR. VIVEK HALLAGERE MURTHY BY SENATOR ROBERT MENENDEZ

Question. 2023 is set to be a significant year for the World Health Organization. Member states are expected to consider amendments to the International Health Regulations at the next World Health Assembly in May. And negotiations are under way for an international pandemic accord. I understand the Biden administration put forward several amendments to the IHRs to improve information sharing and the process of issuing alerts related to public health incidents. If confirmed, what actions will you take to ensure the WHO can meaningfully support collective efforts to prevent, detect and respond to pandemic threats?

Answer. COVID-19 reminded us that infectious diseases do not stop at our borders and that global engagement and coordination is required to protect Americans against current and future health threats. One of my top priorities for the position, if confirmed, is to make sure we are better prepared for the next pandemic. We must all internalize, better understand, and ensure that the lessons of COVID-19 and prior infectious disease threats are reflected in a clear strategy for addressing future pandemics, including effective surveillance and detection, rapid response, and sustained efforts to support recovery. The World Health Organization (WHO or Organization) can play a key role in this effort by working to strengthen its and its Member States' capacities. It also will require successful engagement on negotiations currently underway to strengthen the International Health Regulations and develop a new pandemic accord to address broader gaps in pandemic preparedness.

Question. WHO does critical work helping countries respond to health emergencies around the world, often in places where people are extremely vulnerable to abuse. WHO's response to allegations of widespread sexual abuse and exploitation by its staff and partners during the 2018-2020 Ebola outbreak in the Democratic Republic of the Congo drew significant concern from Member States, prompting the WHO to undertake a set of reforms.

- Do you think the reforms are adequate?
- If confirmed, what steps will you take to ensure WHO's mechanisms related to prevention of and accountability for sexual abuse and exploitation are both adequate, and consistently applied?

Answer. There must be zero tolerance for sexual exploitation and abuse at the WHO. It is my understanding that the Department of Health and Human Services (HHS), the Department of State (State), and U.S. Agency for International Development (USAID) have been working closely with the WHO as they respond to sexual exploitation and abuse allegations and work to build stronger systems to prevent and address sexual exploitation and abuse in the future. The WHO has made improvements and laid out a Management Response Plan with next steps to continue progress, but our pressure on these issues must continue to be a top priority, especially making sure that the survivors of sexual exploitation and abuse receive the necessary support, perpetrators are brought to justice, and future incidents of sexual exploitation and abuse are prevented.

Question. What reforms need to be implemented in order to achieve sustainable financing for the World Health Organization? Do you support increasing assessed contributions to the World Health Organization?

Answer. I strongly support the ongoing efforts to strengthen the WHO and make it more agile, transparent, and efficient, which include more sustainable financing of the Organization. When Member States agreed in principle to increase the WHO's assessed contributions last May at World Health Assembly (WHA) 75, that was not a blank check, but rather, a commitment to step up as Member States to sustainably finance the Organization, and for the WHO Secretariat to step up in significantly changing the way the WHO's budget and finances are governed. If confirmed, I look forward to working to help ensure the WHO has delivered on those commitments and to working with State and HHS to continue to provide Congress with regular updates.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
DR. VIVEK HALLAGERE MURTHY BY SENATOR JAMES E. RISCH

Global Health

Question. If confirmed, do you commit to ensuring that the WHO holds all staff who engage in sexual exploitation and abuse (SEA) personally and professionally liable for their crimes?

Answer. There must be zero tolerance for sexual exploitation and abuse at the WHO. It is my understanding that HHS, State, and USAID have been working closely with the WHO as they respond to sexual exploitation and abuse allegations and work to build stronger systems to prevent and address sexual exploitation and abuse in the future. The WHO has made improvements and laid out a Management Response Plan with next steps to continue progress, but our pressure on these issues must continue to be a top priority, especially making sure that the survivors of sexual exploitation and abuse receive the necessary support, perpetrators are brought to justice, and future incidents of sexual exploitation and abuse are prevented.

Question. We are at a critical point in negotiating an international pandemics agreement and, according to Ambassador Hamamoto's team, things are not going well. Do you commit to ensuring that any agreement that creates new or expanded legal obligations upon the United States be submitted in the form of a treaty, and thus subject to Senate advice and consent?

Answer. The timeline for developing the Pandemic Accord is very ambitious, and therefore the International Negotiating Body and WHO Member States are on an aggressive schedule. But, we all recognize that we must be ambitious in order to protect ourselves and the world from future pandemic threats. The Pandemic Accord is an opportunity to strengthen the global health security architecture for future pandemic threats by applying the lessons learned from COVID-19 and other outbreak responses. This is the first time we are undertaking this type of pandemic preparedness exercise on a global scale, and we must ensure the outcome is as strong as possible. Ambassador Hamamoto and her team are leveraging the strengths and expertise from across the federal government to make this happen. I agree that transparency and accountability are an important facet of all the work we are undertaking as we learn from the pandemic, and it is my understanding that experts are examining the legal questions around exactly what format the final agreement will take. Regardless, I believe that congressional engagement in the process is extremely important, and if confirmed, I look forward to working with you.

RESPONSES TO FOLLOW-UP QUESTIONS

Question. We are at a critical point in negotiating an international pandemics agreement and, according to Ambassador Hamamoto's team, things are not going well. Do you commit to ensuring that any agreement that creates new or expanded legal obligations upon the United States be submitted in the form of a treaty, and thus subject to Senate advice and consent? *Please answer yes or no, and explain your response.*

Answer. I am committed to continuing to consult with Congress throughout these negotiations and appreciate the input the negotiating team has already received through initial consultations. The United States is still at an early stage in this negotiating process, and it is my understanding that as this process continues, we will get a better sense of what the agreement will ultimately look like, including the scope of its content and the extent to which it will contain binding legal commit-

ments. I will continue to seek consultation with Congress in the coming months and will urge my colleagues to do the same.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
DR. VIVEK HALLAGERE MURTHY BY SENATOR MARCO RUBIO

Question. In May, Secretary Blinken said that the People’s Republic of China is the “only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it.” The Chinese Communist Party (CCP) clearly holds all the reins of power in the People’s Republic of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit by far the largest quantity of greenhouse gases. As we speak, the Party is cracking down on unprecedented student protests across the country. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

- Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?
- Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?
- If confirmed, will you approve any joint activity with organizations or representatives from the People’s Republic of China in the countries, or organizations in which you will work?

Answer. I understand the United States engages with China where it is in our best interests. In relationship to my role as the U.S. Representative to the WHO Executive Board, if confirmed, I believe the best way for us to combat China’s influence in global institutions is to robustly engage and lead in these institutions. When the United States takes a leadership role in the WHO, it leaves less room for China to exert its influence. The United States values cooperation, transparency, accountability, and human rights. We must remain committed to strengthening the WHO, so it can do its work better and without fear of any unwarranted interference. The United States is an effective leader at the WHO, working to build consensus and collegiality among Member States to prevent, prepare for, and respond to health emergencies. When we disengage it allows for other Member States to exert influence and push the organization in ways that may not be in the best interest of global public health including the health of Americans. If confirmed, I would work with my U.S. Government partners to ensure that the WHO focuses on its mandate of promoting health for all and helping everyone achieve the highest attainable level of health.

Question. If confirmed, you would assume responsibilities on the WHO Executive Board which determines the agenda for the WHO’s World Health Assembly (WHA). Part of the WHO’s responsibilities is the prevention of pandemics, like COVID–19. In order to prevent future pandemics, we need to have a crystal clear understanding of what caused previous pandemics. For COVID–19, because of Chinese Communist Party obstruction, we unfortunately do not yet have that understanding. The WHO and the Office of the Director of National Intelligence have assessed that natural transmission was the likely source of the COVID–19, while the FBI and, this week, the U.S. Department of Energy, believe it is a lab leak. My colleagues on the Senate committee responsible for Health also believe a lab origin is likely. Do you believe that there is the possibility that COVID–19 originated through a lab leak at the Wuhan Institute of Virology and, if so, should that possibility be thoroughly investigated?

Answer. There are a variety of views in the intelligence community about the origins of COVID–19. Some elements of the intelligence community have reached conclusions on one side, some on the other, and a number of them have said they do not have enough information to reach a conclusion. It’s important to note that a significant reason why we have not had sufficient information is the lack of transparency from the Chinese Government. Getting to the bottom of the origins of COVID–19 continues to be a priority for the United States, and I will advocate strongly to this effect if I am confirmed.

Question. Do you believe China notified the WHO regarding the COVID outbreak in Wuhan in a timely and responsible fashion in 2019?

- In February the WHO abandoned its investigation into whether COVID-19 originated, or leaked, from a lab in Wuhan because of “politics across the world.” To what extent do you believe opposition from the Chinese Communist Party drove the WHO’s decision to end its investigation?

Answer. For more than two years now, China has been blocking international investigators and members of the global public health community from accessing information. We must continue to work with partners around the world to press China to fully share information and to cooperate with the WHO.

Question. If confirmed, will you work to reverse the WHO decision to stop investigating the source of COVID?

Answer. Getting to the bottom of the origins of COVID-19 must be a priority, and I would strongly support efforts to investigate this important issue. Doing so will help provide additional information that can be used to better prepare for and hopefully prevent the next pandemic, be that more effective biosafety and biosecurity practices or reducing opportunities for spillover of viruses to humans.

Question. This week, the U.S. Ambassador to China, Nick Burns, stated that China needed to “be more honest about what happened three years ago in Wuhan with the origin of the COVID-19 crisis.” According to a Wall Street Journal article, a classified intelligence report provided to the Biden administration, and members of Congress, concluded the COVID pandemic most likely arose from a lab leak. Do you agree with the Department of Energy and Federal Bureau of Investigation’s conclusion that COVID most likely originated from a Chinese lab?

Answer. There are a variety of views in the intelligence community about the origins of COVID-19. Some elements of the intelligence community have reached conclusions on one side, some on the other, and a number of them have said they do not have enough information to reach a conclusion. Getting to the bottom of the origins of COVID-19 should continue to be a priority, and I will advocate strongly to this effect if I am confirmed.

Question. Like the U.N. Human Rights Council, the WHO continues to unfairly single out Israel on health rights. According to the International Holocaust Remembrance Alliance, this kind of double standard applied to Israel is an example of antisemitism. Should the U.S. support any organization that engages in antisemitism?

Answer. I agree that anti-Israel bias in international organizations remains a persistent challenge and believe that the United Nations (U.N.) must take steps to address it wherever it occurs. If confirmed, I will be keenly attuned to this challenge and look forward to consulting closely with Israeli diplomatic colleagues and other likeminded Member States to ensure that such bias is brought to light and countered vigorously and with unity of purpose.

Question. How will you use U.S. assistance and your position with the WHO to stop unjustly targeting Israel?

Answer. The United States is best able to influence the direction and performance of organizations such as the WHO when we are robustly engaged, and if confirmed, I would add my voice, energy, and experience to that effort, including in an instance in which Israel is unfairly targeted or subject to other forms of bias.

Question. Last year, the Biden administration submitted to the World Health Assembly draft text to amend the International Health Regulations, (IHR), which govern how the WHO responds to international pandemics. Americans across the country have raised concerns that this proposal for a so-called “Pandemic Preparedness Treaty” would override American sovereignty by opening the door for the WHO to authorize sanctions against the United States or to assume control of healthcare regulations determined by American states. What is your assessment of the impact of the administration’s proposals to reform the IHR?

Answer. The United States will not support any proposal that will compromise our sovereignty or security. COVID-19 reminded us that infectious diseases do not stop at our borders and that global engagement and coordination is required to protect Americans against current and future health threats. One of my top priorities for the position, if confirmed, is to make sure we are better prepared for the next pandemic. The WHO can play a key role in strengthening its and its Member States’ capacities. The United States proposed substantive amendments to the International Health Regulations (IHR) containing measures that would strengthen the WHO’s ability to use available information to determine whether a Public Health Emergency of International Concern may be occurring, and based upon that information, inform all nations of the threat in a timely manner and provide valuable recommendations on how to safely and effectively respond.

Question. If confirmed, do you commit to voting against any reform to the IHR or other WHO regulation that would violate the United States' sovereignty?

Answer. The United States will not support any provisions that compromise our sovereignty or security. We will not support any provisions that would compromise Americans' control over their own health care decisions.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
DR. VIVEK HALLAGERE MURTHY BY SENATOR BILL HAGERTY

WHO-China Ties

Question. World Health Organization Director-General Dr. Tedros Adhanom Ghebreyesus—who had hailed China's Health Silk Road as an alternative to Western-led institutions in 2017—was lavish in his public and explicit praise for CCP General Secretary Xi Jinping's cooperation as "very impressive and beyond words" early in the pandemic. Yet, at the same time, the WHO privately complained that China was not sharing enough data.

- Do you believe Dr. Tedros is too close to the CCP? Please begin your answer with a yes or no.
- Do you believe Dr. Tedros has the confidence of the international community to continue to lead the WHO? If so, why?
- If confirmed, will you advocate for major leadership changes at the WHO? Please begin your answer with a yes or no.

Answer. The best way for us to combat China's influence in global institutions is to robustly engage in these institutions as the United States. When the United States takes a leadership role in the WHO, it leaves less room for China to exert its influence. The United States values cooperation, transparency, accountability, and human rights. We must remain committed to strengthening the WHO, so it can do its work better and without fear of any unwarranted interference. The United States is an effective leader at the WHO, working to build consensus and collegiality among Member States to prevent, prepare for, and respond to health emergencies. When we disengage, it allows other Member States to exert influence and push the organization in ways that may not be in the best interest of global public health, including the health of Americans. If confirmed, I would work with my U.S. Government partners to ensure that the WHO focuses on its mandate of promoting health for all and helping everyone achieve the highest attainable standard of health.

WHO Accountability

Question. During your SFRC confirmation hearing, you said that you supported holding the WHO accountable and that the United States should "not provide a blank check" to the WHO, adding that U.S. funding to the WHO "should come with assurances that the reforms we are seeking are happening."

- What specific reforms must be made the WHO so that we are not providing a blank check?
- If the WHO fails to make these reforms, will you, if confirmed, advocate for the United States to suspend funding to the WHO?
- How has the Biden administration held the WHO accountable for its poor performance during the pandemic?
- What conditions, if any, did the Biden administration place on rejoining the WHO?
- What assurances has the Biden administration sought from the WHO on reform?

Answer. The WHO is an essential organization; they are the only international organization with the mandate and convening power to bring together Ministries of Health and health experts across 194 countries. Thus, I strongly support the ongoing efforts to strengthen the WHO and make it more agile, transparent, and efficient, which include more sustainable financing of the Organization. When Member States agreed in principle to increase the WHO's assessed contributions last May at WHA 75, that was not a blank check, but rather, a commitment to step up as Member States in sustainably financing the Organization, and for the WHO Secretariat to step up in significantly changing the way the WHO's budget and finances are governed. It is my understanding that the U.S. worked with WHO to lay out a clear reform agenda and track progress against that agenda, as well as launched a new Strategic Dialogue between the U.S. and WHO to ensure WHO is delivering

on the priorities for the United States. If confirmed, I look forward to working to help make this happen and working with State and HHS to continue to provide Congress with regular updates.

The WHO Intergovernmental Negotiating Body Pandemic Treaty “Zero Draft”

Question. During your SFRC confirmation hearing, you said that you would “strive to protect American sovereignty.”

- If confirmed, what specific actions will you take to protect U.S. sovereignty with respect to global public health?
- Do you believe countries have the sovereign right to determine and manage their approach to public health-including pandemic prevention, preparedness, and response-pursuant solely to their own policies and legislation?
- Do you believe that the WHO-despite its abysmal track record during the COVID pandemic-should be given greater authority under international agreement as a coordinating and implementing entity during the next pandemic?
- Do you support preemptively committing the United States via international agreement to waive intellectual property rights-including on vaccines, therapeutics, and diagnostics-during the next pandemic?
- Do you support the principle of “common but differentiated responsibility” in global pandemic response?
- Do you support allowing the WHO under international agreement to determine fair and equitable allocation of pandemic-related products and resources based on public health risks and needs?
- Do you support expanded WHO authorities under international agreement for coordinating global supply chains for the production of pandemic-related products?
- Do you support allowing the WHO under international agreement to coordinate the creation of strategic stockpiles of pandemic-related products?
- Do you support obligating the United States under international agreement to contribute not lower than five-percent of its current health expenditure for pandemic prevention, preparedness, and response?

Answer. The Pandemic Accord is an opportunity to strengthen the global health security architecture for future pandemic threats by applying the lessons learned from COVID-19 and other outbreak responses. The Accord is also an opportunity to promote and strengthen national, regional, and global approaches to transparency, accountability, improved coordination, and rapid action. While the substantive negotiations, led by Ambassador Hamamoto, are ongoing with respect to the different items you mention, the United States will not support any provisions in the Accord that compromise the sovereignty or security of the United States. We will not support any provisions that would compromise Americans’ control over their own health care decisions. I believe that congressional engagement in the process is extremely important and, if confirmed, I look forward to hearing from you as conversations continue on this important endeavor.

RESPONSES TO FOLLOW-UP QUESTIONS

The WHO Intergovernmental Negotiating Body Pandemic Agreement “Zero Draft”

Question. On March 3, the lead U.S. Negotiator for the Pandemic Accord, Ambassador Pamela K. Hamamoto, called for the WHO pandemic agreement to include an obligation to provide “sexual and reproductive health services” as essential health care services during pandemics in the U.S. opening statement of negotiations this week.

- Do you support obligating the United States via international agreement to provide reproductive health services, including abortion, as essential health care during a pandemic?

Answer. If confirmed, I will comply with all legislative restrictions on foreign assistance related to abortion, including restrictions against advocating for or against abortion in multilateral fora.

Question. Ambassador Hamamoto also appeared to agree with China that negotiations and future versions of the draft treaty should be discussed in closed session, noting: “I think at this stage I have some concerns about sharing the draft to all stakeholders given where we are in the process.”

- If confirmed, do you commit to advocate that the pandemic agreement negotiations and draft text of the document be made public in the interests of transparency? Please begin your answer with a yes or no.

Answer. If confirmed, I agree that a transparent process is critical to the overall success of the pandemic agreement. I will commit to advocating with the U.S. Pandemic Negotiator, Ambassador Pamela Hamamoto, for a transparent and open review process that includes Congress and the American public.

Question. If confirmed, do you commit to advocate that any pandemic agreement giving rise to new or expanded legal obligations be submitted by the President to the Senate in the form of a treaty and subject to advice and consent under clause 2 of section 2 of article II of the U.S. Constitution? Please begin your answer with a yes or no.

Answer. The timeline for developing the Pandemic Accord is very ambitious, and therefore the International Negotiating Body and WHO Member States are on an aggressive schedule. But, we all recognize that we must be ambitious in order to protect ourselves and the world from future pandemic threats. The Pandemic Accord is an opportunity to strengthen the global health security architecture for future pandemic threats by applying the lessons learned from COVID-19 and other outbreak responses. This is the first time we are undertaking this type of pandemic preparedness exercise on a global scale, and we must ensure the outcome is as strong as possible. Ambassador Hamamoto and her team are leveraging the strengths and expertise from across the Federal Government to make this happen. I agree that transparency and accountability are an important facet of all the work we are undertaking as we learn from the pandemic, and it is my understanding that experts are examining the legal questions around exactly what format the final agreement will take. Regardless, I believe that congressional engagement in the process is extremely important, and if confirmed, I look forward to working with you.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO KATHLEEN A. FITZGIBBON BY SENATOR ROBERT MENENDEZ

Conditions in the Sahel continue to deteriorate. According to the Global Centre for the Responsibility to Protect, "more civilian fatalities have been reported in the Central Sahel this year than in all of 2021, with more than 2,300 killed." Successive administrations have invested significant resources in the security sector, but it's clear we need a more holistic approach. With military juntas now in power in Mali, Burkina Faso, and Chad, achieving an appropriate balance in Niger—so as to ensure that Niger remains a bulwark against authoritarianism and terrorism—is more important now than ever.

Question. What is your assessment with regards to whether we have achieved the correct balance between our investments in defense and our investments in diplomacy and development?

Answer. Our pivot to creating a better balance among our defense, development, democracy, and diplomatic investments is ongoing. Over the past few years, the U.S. Government has significantly augmented our development assistance and increased diplomatic efforts in Niger, while leveraging small funds and exchanges to bolster our engagements to strengthen democracy. As the leader of our interagency team, if confirmed, I will be cognizant of the need to balance our resources appropriately in line with our U.S. Sahel Strategy and coordinate with other donors to meet the country's economic, political, and security challenges. If confirmed, I will increase our communications to the Nigerien Government and people on the results of our partnership.

I understand in recent years there has been a significant increase in economic investments (USAID/MCC) aimed at improving service delivery, expanding agricultural outputs, supporting education initiatives, and promoting livelihoods, aimed at strengthening confidence in government capacity. Diplomatic engagement that is more focused on inclusive governance, increasing participation, and encouraging political competition is our focus. If confirmed, I will use my position to create opportunities to strengthen the connection between political elites and Nigeriens and foster a shared vision for Niger's future. I will leverage smaller programs, including Department of Justice and Conflict Stabilization programs to strengthen rule of law and promote anti-corruption activities. Steady and consistent commitment to build-

ing partner capacity and human rights accountability will focus on building professionalism, adherence to international humanitarian principles, and the rule of law.

Question. What changes have we made to better balance our approach since the passage of the Trans-Sahara Counterterrorism Partnership Program Act last March?

Answer. The U.S. Sahel Strategy is based on the assessment that instability in the Sahel is a security problem with a governance solution. In Niger, the United States is working to create a better balance between our security and development assistance and diplomatic efforts. If confirmed, I will be cognizant of the need to balance our resources appropriately. Along with our USAID Mission Director, I will coordinate with other donors to support the country's economic, political, and security challenges.

Question. What is the status of staffing at Embassy Niger? Have any posts been vacant longer than 6 months? Are the incentives currently in place sufficient for attracting foreign service officers? If not, how should they be adjusted?

Answer. Progress has been made in filling vacancies in Niamey. The Mission is now down to an overall vacancy rate of 22 percent, and the vacancy rate is projected to drop below 10 percent by the end of the summer transfer season. Fourteen positions have been vacant for more than 6 months. At least nine of these positions will be filled in the coming months. If I am confirmed and am able to fill the Ambassador's Office Management Specialist position quickly, this will fill two more of the fourteen longstanding vacancies. The Bureau of African Affairs and Global Talent Management are working on other incentives to attract bidders.

Question. If confirmed, do you commit to briefing the Committee on the status of implementation of the Sahel strategy in Niger?

Answer. Yes, if confirmed, I will brief the committee on the status of the implementation of the Sahel Strategy in Niger.

The Government of Niger recently approved new rules related to NGO operations that as drafted, threaten the independence of operations of international and local NGOs working on development, good governance, and human rights. These changes could hamper our ability to provide aid to Niger through such organizations. Niger has also jailed a human rights defender—Abdoulaye Seydou—first for “undermining public order” and then for alleged arson.

Question. What is the status of the new NGO regulations? Have the Embassy and USAID engaged directly with Parliament and the Presidency on these concerns? If confirmed, what steps will you take to convince the Government to ensure international NGOs can operate independently?

Answer. Senior U.S. Mission Niamey officers and USAID Administrator Power have engaged directly with President Bazoum and his administration on our concerns about the NGO decree (an executive order) and the Nigerien Government's commitment to revise the NGO legal framework and uphold civil liberties. In November, the Government of Niger hosted a national conference with multiple government ministries, NGOs, and civil society leadership to review the NGO legal framework. Final conference recommendations included revising the NGO decree and decades-old NGO and association laws into a single updated law as well as modernizing the management of NGOs and associations. The Nigerien Government announced it would establish a drafting committee for the NGO legal framework. If confirmed, I will engage to ensure forward momentum on the drafting and implementation of the NGO legal framework. Furthermore, I will seek opportunities to technically support and facilitate dialogue through public and diplomatic engagements, underscoring international best practices for civic freedoms.

Question. Tolerance for dissenting voices and views is a hallmark of a functional democracy, and muzzling these voices often backfires. Is there enough space in Niger for people to criticize their Government without fear of arrest or intimidation? Has Abdoulaye Seydou been freed? If confirmed, what steps will you take to strengthen respect for democratic rights in Niger?

Answer. Abdoulaye Seydou, the founder and national coordinator of the Government opposition group Movement 62 (M62), who was arrested on January 23, has not yet been freed. The Embassy in Niamey is closely following Seydou's arrest and detention and has repeatedly stressed to the Government of Niger the importance the United States places on freedom of expression for civil society leaders and opposition figures. The Embassy is also deeply engaged on this issue with civil society

leaders. If confirmed, I will raise Seydou's arrest, advocate for his release with top government officials, and remind them of President Bazoum's statements that the lack of respect for state authority is at the core of instability in neighboring countries. I will speak publicly about the importance of political space and dialogue for citizens to engage the Government on political and economic issues of national importance. I will emphasize that marginalization of dissenting voices feeds dissatisfaction and plays into the hands of violent extremist organizations. I will promote discussions about the importance of protecting democratic and human rights as a core strategy to counter terrorist recruitment messaging.

Question. What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have promoted respect for human rights and democracy throughout my career. Specifically, my work to protect human trafficking victims, empower women and girls, and promote the human rights of members of the LGBTQI+ community have been aimed at establishing legal frameworks to respect and protect human rights. I have worked with several African governments to pass or strengthen anti-trafficking legislation, increase prosecutions, and provide stronger protection for victims. In Uganda, I led an effort by female parliamentarians to draft and pass the country's first anti-trafficking legislation in 2009 and, in Sierra Leone, I participated on the Government's anti-trafficking committee, advising on strengthening its legislation, no-cost actions to raise awareness of trafficking, and on the importance of interagency collaboration. I was a U.S. negotiator at the Darfur Peace Talks, oversaw our support for 250,000 Darfur refugees in Chad, and supported our research team that uncovered facts that supported the determination that genocide was being committed by the Government of Sudan. In Sierra Leone, I prioritized empowering women as a primary mission goal, which led then-Secretary Kerry to name Embassy Freetown "Gender Champions." I also advocated for free and fair elections in Nigeria, Sierra Leone, Gabon, and Sao Tome and Principe. In Nigeria, I engaged diplomatically to assist a Christian girl fleeing religious persecution after receiving humanitarian parole to depart Nigeria. I worked with national human rights councils in Sierra Leone and Nigeria to ensure the human rights of members of the LGBTQI+ community are protected. The National Human Rights Commission in Nigeria is taking on cases of arrests and working to challenge the law. Through our PEPFAR program, I led engagement with governors to stand up against discrimination against those with HIV/AIDS to counter stigmatization, which enabled us to enroll 500,000 new patients on HIV treatment, propelling Nigeria toward achieving epidemic control in 2023.

Question. What issues are the most pressing challenges to democracy or democratic development in Niger? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. High levels of illiteracy, poverty, insecurity, and alarming demographic trends are fundamental obstacles to deepening public participation in Niger's democracy. Our development assistance aims at strengthening the Government's ability to deliver services in health, education, agriculture, and livelihoods, and is critical to increasing respect for state authority and improving these trends. Our democracy programs are developing the capacity of youth and women to more fully participate in political discourse, strengthening journalistic integrity, bolstering rule of law, and supporting livelihoods.

Question. What steps will you take—if confirmed—to support democracy in Niger? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. At the strategic level, I will, if confirmed, engage Niger's political elite, across all parties, and key civil society leaders to gain elite buy-in to secure political tradeoffs to tackle the deep challenges threatening consolidation of democracy. I will point out when short-term interests are undermining democratic consolidation. It also is essential to secure long-term commitments that can bolster democracy, such as reforming the education sector, committing to educating girls, and investing in infrastructure. These commitments transcend administrations because they have support across the political spectrum. Tactically, this means frequent engagement with key players, including civil society, traditional leaders, and marginalized groups, to share information about our investments in bolstering democracy, and to seek their ideas and support. If confirmed, I will leverage our key reports-human rights, trafficking in persons, and religious freedom—to engage the Government on

improving these areas of concern. I will combine public and private engagement to keep human rights and democracy issues at the forefront of our shared priorities.

Question. How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will continue to prioritize the human rights of women in Niger in our diplomatic, development and operation activities, including focusing on efforts to promote women's economic and political participation and strategic initiatives related to gender-based violence and women, peace and security. Embassy Niamey will promote gender balance in the selection of U.S. Government professional and education exchanges.

The U.S. Government is committed to contribute to the President's priorities through USAID's investments increasing girls' access to education, particularly where child marriage rates are the highest. Also, USAID works with imams, community leaders, parents, and caregivers to support girls' education and better understand the positive effects of girls staying in school. USAID will begin working with UNICEF to address the loss of learning resulting from conflict and school closures by focusing on distance education for children and youth ages 7-15.

Advancing women in the labor force is good for companies' bottom lines, good for countries' economic growth, and good for global security, prosperity, and stability. As such, Mission Niger promotes Nigerien women's participation in the International Visitor Leadership Program, Washington Mandela Fellows Program, and in other exchanges such as Fulbright and the Global Undergrad Program. Mission Niger also provides implementation oversight to USAID and Department of State-funded women, peace, and security programs and initiatives that have increased women's leadership and participation in community security networks and peacebuilding platforms in Diffa, Maradi, and Tillaberi regions. USAID is also supporting improved maternal and child health, voluntary family planning, and efforts to prevent of child early and forced marriage and improved access to quality, safe basic education opportunities.

Embassy Niamey has a long history of supporting female entrepreneurs in Niger. Through a PD Section small grant more than five years ago, a central women's entrepreneurship association emerged in Niamey, which now has affiliate groups in every region. Embassy Niamey has sponsored shark tanks and trainings for women entrepreneurs as well as invested in programs to teach women vocational trades. Embassy Niamey also sponsors a school for women entrepreneurs in Maradi, and the Millennium Challenge Corporation supports functional literacy classes for rural Nigeriens with a focus on women.

In addition, the Embassy is credited with training Niger's first female pilot, sending its first female attendee to the United States Military Academy, West Point and two successful nominations of the Department of State Women of Courage candidates, resulting in the elevation of women's status in the field of security, defense, and human rights. The Embassy's ongoing Ambassador Fund for Cultural Preservation Grant seeks to train and empower women potters from Boubon, Niger on how to keep their tradition alive while also making it a viable economic living.

Girls' empowerment through sports programming is a central effort to promoting girls' education and schooling. The Embassy uses social media as a key platform to showcase our commitment to the advancement of women and girls as noted by the annual participation of the Young African Leaders Initiative social media campaign #Africa4Her encouraging Africans to pledge to support women's and girls' access to opportunity; and workshops encouraging political and civic participation among women before, during, and after elections.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Niger? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, if confirmed, I commit to meeting with a wide range of civil society members, human rights groups, and non-governmental organizations in Niger. This engagement is fundamental to our agenda to strengthen democracy. I will seek ways to bring these groups together with government officials to build trust and interaction. I will continue our mission's proactive approach to addressing efforts to restrict NGOs and civil society. I also will meet with our implementing partners and the USAID director to get feedback on the law's revisions and any other similar reg-

ulations that limit or penalize civil society or NGOs. Finally, it will be important to coordinate with likeminded diplomatic missions to amplify our positions.

Question. If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, if confirmed, I will meet with democratically oriented political opposition figures and parties. I will encourage genuine political competition and defend the importance of a level and inclusive playing field for all political actors. I will make interventions when needed to encourage positive behaviors and make use of all the available tools necessary. It will be important to start talking to key players now about preparations for the elections in 2025. Access and inclusivity for women, minorities, and youth within political parties is a central tenet of our programs and diplomatic engagement to strengthen governance in Niger. I consider these critical constituencies and will nurture their political participation.

Reversing severe gender inequality will remain a priority. This includes focusing on efforts to promote women's economic and political participation and strategic initiatives related to gender-based violence and women, peace and security. To the extent possible, Embassy Niamey ensures gender balance is applied in the selection of U.S. Government professional and education exchanges, and I will continue this policy.

Question. Will you and your Embassy team actively engage with Niger on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Niger?

Answer. If confirmed, I will lead our Embassy team in engaging on press freedom. Our efforts will include voicing our concerns when we see limits or regulations designed to undermine press freedom or efforts to intimidate journalists. The Embassy's public diplomacy team has excellent relationships among independent journalists in Niger and I look forward, if confirmed, to further strengthening their capacity to effectively serve as a watchdog and report accurately on national events.

Question. Will you and your Embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will continue to lead our mission's efforts to counter the increasing spread of disinformation, which is a threat to stability in Niger. Those carrying out disinformation campaigns often target specific populations by capitalizing on and/or exploiting the grievances, vulnerabilities, incentives, and/or suspicions that make each group susceptible to manipulation. Nigeriens are vulnerable to disinformation when actors (including state and non-state actors, and foreign governments) are willing to prey on these weaknesses by targeting populations with false and misleading information.

The United States coordinates closely with Nigerien officials on regional security issues, including to address the inherent risk of instability in the Sahel region posed by disinformation and armed groups operating along Niger's borders. The United States will continue to monitor emerging disinformation narratives on an ongoing basis and support civil society and independent media voices advocating on behalf of democratic principles and processes.

The Government has asked for assistance with disinformation. The Senior Bureau Official for Public Affairs highlighted our commitment to counter disinformation when she visited Niger in late 2022. The Embassy's Public Diplomacy Section secured an expert in media to train journalists, government officials, and civil society on how to properly run press operations, how to manage the media ecosystem, and understanding why it is important. USAID also has conducted eight programs to date and is training journalists on public accountability; promoting civic action to monitor and counter hate speech and violence; and to study, correct, and mitigate disinformation.

Question. Will you and your Embassy teams actively engage with Niger on the right of labor groups to organize, including for independent trade unions?

Answer. Yes, if confirmed, I will ensure the Embassy team will actively engage with labor groups to understand any limitations on the right to organize. I also will engage relevant government officials on issues as they arise.

Question. Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Niger, no matter their sexual orientation or gender identity?

Answer. Yes. If confirmed, I will advocate for and defend the human rights and dignity of all people in Niger, no matter their sexual orientation or gender identity. I will work with the national human rights organization to mainstream the rights of LGBTQI individuals. It is important to strengthen the capacity of domestic institutions to defend the human rights of all Nigeriens.

Question. What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Niger?

Answer. As noted in the 2021 Human Rights Report, there is a strong societal stigma against same-sex sexual conduct, but there are no laws criminalizing adult consensual same-sex sexual conduct. Gay men and lesbians experienced societal discrimination and social resentment. LGBTQI+ associations reportedly conducted their activities secretly, in part because they were not officially registered. There were no reports of violence against individuals based on their sexual orientation or gender identity. There were no documented cases of discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation. Observers, however, believed stigma or intimidation impeded individuals from reporting such abuse.

Question. What specifically will you commit to do to help LGBTQ people in Niger?

Answer. If confirmed, I will support LGBTQI+ persons in Niger through outreach and inclusion in mission activities, and by speaking out on the importance of protecting the human rights of members of the LGBTQI+ community. I will facilitate linkages between LGBTQI+ groups with other civil society groups and with government entities, to include the national human rights commission to mainstream their issues for protection like those of members of other groups. I will seek opportunities to demonstrate our support for LGBTQI+ issues publicly. In our activities, I will be guided by what the LGBTQI+ organizations themselves request and the principle of “do no harm”.

Question. Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff each time you are in Washington for visits or consultations during your tenure as Ambassador to Niger?

Answer. Yes, if confirmed, I will keep Members of Congress and/or their staff apprised, as appropriate, in coordination with the Bureau of Legislative Affairs.

Question. How do you anticipate fostering diversity, equity, inclusion, and accessibility at Embassy Niamey?

Answer. If confirmed, I will communicate my commitment to a workplace where diversity, equity, inclusion, and accessibility are core to our mission’s work. The Deputy Chief of Mission (DCM) and I will participate in Diversity, Equity, Inclusion, and Accessibility (DEIA) activities to underscore the value we place on professional growth, promoting diversity, equity, inclusion, accessibility, and a workplace free from harassment and bullying. I will establish a monthly professional day during which all mission employees will participate in skills development, security awareness, mentoring sessions, and DEIA activities. The DCM and I will also ensure that our DEIA Council has the support it needs and that we promote forums for open discussions of difficult issues, such as the ongoing NEC Talk series. Finally, I take my responsibility for creating an environment free of harassment and bullying seriously and will address conduct and discipline problems appropriately as they arise. Taken together, these actions are aimed at empowering both our U.S. and Locally Employed Staff to make good decisions and promote an inclusive, positive work environment. This, in turn, strengthens our ability to carry out our foreign policy agenda.

Question. What specifically will you do to prioritize and promote diversity, equity, inclusion, and accessibility, while also combating racism, discrimination, and inequality among locally employed staff in Niger?

Answer. Locally employed staff will be part of our ongoing Diversity, Equity, Inclusion, and Accessibility activities. Cross-cultural sharing between American and Nigerien staff will be a central tenant of our workplace environment. If confirmed, I will meet regularly with the Locally Employed (LE) Staff Association and do frequent walk-about to better understand how our LE Staff work with each other. It also will be important to teach our U.S. Direct Hire staff to look beneath the surface when situations arise to better understand if there is any systemic or situational

discrimination underlying behavior. I will ensure that our employees receive the training they need to spot discrimination or harassment and report immediately.

Question. In addition to focusing on diversity, equity, inclusion, and accessibility in our workforce, will you commit to engaging more equitably in operations and programming, particularly with potential partners and communities that traditionally have been marginalized, excluded, or underrepresented in ours and others' donor and partnership efforts?

Answer. If confirmed, I commit to continuing to ensure equity in our programs. I will use the Integrated Country Strategy process and annual reviews of USAID Operational Plans to monitor our efforts to include marginalized and underrepresented communities in our programs and operations. Our economic development programs are targeted at reducing multi-dimensional poverty, which means focusing on women and children, as the most marginalized groups. Our education and health programs are designed to be inclusive to enhance access in different regions and to ensure handicapped individuals can get health care and participate in the political system. Education programs are aimed at removing cultural and security barriers to female participation. I will ensure that our representational events and public diplomacy programs include marginalized and underrepresented groups. Our security assistance has increased the participation of women in security organizations, especially the military where female recruits have increased by 300 percent and boasts the first female pilot and first cadet at the U.S. Military Academy at West Point. Operationally, our human resources team will use diverse panels in hiring processes to ensure applicants are not being disadvantaged.

Question. How do you anticipate utilizing local expertise, knowledge, and capacity to meet our foreign policy goals?

Answer. If confirmed, I will integrate our Locally Employed Staff into our strategic planning and ensure they fully understand our foreign policy goals. I will work with our Locally Employed Staff to expand our outreach efforts to build into our contact networks experts from every region and multiple groups. We will leverage the various languages spoken within our mission to assist our U.S. officers in making connections beyond the capital. I will encourage out-of-capital travel, security permitting, or alternatively using the technology at our American corners and spaces to do virtual outreach.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO KATHLEEN A. FITZGIBBON BY SENATOR JAMES E. RISCH

Question. Given the deterioration of the situation in Mali, and the emergence of Niger as the U.S.' preferred partner in the Sahel, what will your priorities be as U.S. Ambassador, if confirmed, in supporting Niger within the context of the threat from violent extremist groups in the Sahel?

Answer. If confirmed, I will ensure that our interagency effort takes a multi-pronged approach by increasing our investments in development, democracy, and diplomacy to mirror our long-standing commitment to counter terrorism. Coordination is critical to sequence and recalibrate our efforts as needed to manage our governance and security priorities simultaneously. I will monitor our security cooperation efforts at partner capacity-building to ensure that there is an emphasis on professionalization and respect for human rights. I will support our growing development programs, which are aimed at the underlying causes of multi-dimensional poverty facing most Nigeriens. This includes our USAID programs in health, education, agriculture, and livelihoods. I will work to ensure that our USAID efforts are compatible with and leveraging our Millennium Challenge Corporation's compacts. The Niger Compact (\$442.6 million) is increasing arable land and agriculture output, livestock health, and road infrastructure, and the recently signed concurrent regional transport Compacts with Niger and Benin (\$302 million for Niger and \$202 million for Benin) will rehabilitate and strengthen the transport corridor between Niamey, Niger and the port of Cotonou in Benin.

Question. Niger has made positive democratic gains in recent years, but democratic institutions remain weak and under threat (as evidenced by coups in neighboring Mali and Burkina Faso). As U.S. Ambassador to Niger, how will you balance U.S. counter-terrorism interests with the need to support the development of strong and resilient democratic institutions in Niger?

Answer. Our counter-terrorism interests and efforts to strengthen democratic institutions are inextricably linked. Niger needs the capacity to fight terrorist organizations in order to create the security conditions necessary to promote economic development and consolidate democratic gains. As we seek to strengthen governance as a key to resolving security issues, if confirmed, I will lead our interagency team to keep Washington headquarters elements informed about key resource needs. I will bolster our support for democratic consolidation by using diplomatic engagement, our available USAID funds, and our public diplomacy resources to strengthen and amplify civil society voices and empower women and youth participation in national dialogue and political processes. If confirmed, I will use my position to boost the inclusion of these voices in decision-making and work with political elites to make trade-offs that will have to be made now to achieve long-term gains for the country's stability.

Question. How do these goals reinforce each other and how are they in conflict?

Answer. Increased security creates the conditions necessary to promote economic development and consolidate democratic gains. More economic opportunity and a more responsive government addresses many of the motivators that drive people to join violent extremist groups. I will seek to find the right balance within our assistance portfolio to create a more stable Niger. The key to achieving balance is to ensure that we are including all segments of Nigerien society, addressing issues most important to Nigeriens, and creating self-sustaining efforts that Nigeriens can carry forward once our programs end. If pursuing a security-only focused agenda, there is the danger of neglecting democracy and human rights. If confirmed, I will ensure our security programs have a strong human rights component and we advocate publicly on human rights issues.

Question. Looking at how Nigeria's ongoing electoral process is playing out, what could the United States have done differently ahead of and during the electoral process, including but not limited to foreign assistance?

Answer. Prior to my departure from Nigeria in July 2022, the U.S. mission played an important role in supporting and pressing for the passage of the Electoral Act that included provisions for the electronic transmission of votes. The mission also pushed for additional elections support. The Department's facilitation of Washington visits for leading presidential candidates enabled the United States to communicate U.S. expectations surrounding the elections. The mission encouraged youth leaders to be more involved and they registered in high numbers. At the time, the viability of a third-party candidate had not yet gained traction. The mission had concerns about how the Bimodal Voter Accreditation System would work but at the time of my departure, did not foresee significant issues with the separate system for uploading of results. The slow upload is a source of criticism that is contributing to the undermining of public confidence in the election results.

Question. What lessons will you take with you to Niger from your experience as Deputy Chief of Mission in Nigeria?

Answer. From Nigeria, a critical lesson learned is the importance of working with Congress on key issues, such as arms sales. The mission's engagement with Congressional staff on the proposed helicopter sale was useful to support our requests for a human rights advisor and political section position to follow security force accountability. Both of these positions have increased the mission's ability to discuss human rights and accountability issues with the military. There is still a long way to go, but the tone and substance of our interactions improved. It also will be important to maintain contact with Congress to better understand concerns in order to tackle them. If confirmed, I will build on this experience by prioritizing respect for human rights and accountability with the Nigerien Government in order to maintain our ability to support the security partnership. Another important takeaway from Nigeria is the importance of countering disinformation and communicating publicly about our values even as we are engaged in behind-the-scenes dialogue.

Question. As Chief of Mission in Niger, how will you support the recently reopened USAID mission in Niger to contribute to the achievement of U.S. foreign policy objectives in Niger?

Answer. If confirmed, I will be a strong advocate for USAID programming, personnel, and resources because the country's needs are so great. Our binding constraint is Niger's absorptive capacity and the limited capability locally to implement programs. To be effective, it is important to have a consistent, predictable budget over time and higher staffing levels within the mission to advance our foreign assistance objectives and coordinate with other donors. Currently, USAID is lacking 60 percent of the staff necessary to implement foreign assistance programming. If

confirmed, I will create a positive interagency work environment, advocate for additional incentives, and highlight the critical nature of our mission to attract additional bidders. I will support additional appropriate resource requests and work closely with the USAID Mission Director on a strategy to fill positions.

Question. In your hearing, you committed to supporting Niger in strengthening its democracy. What specific types of democracy assistance do you think are needed in Niger?

Answer. Traditional democracy assistance, such as providing technical support to the electoral commission, voter education, and assistance to civil society, including political party development, is needed now to enhance political participation ahead of the elections in 2025. If confirmed, I will step up our diplomatic engagement across the political spectrum, make our expectations clear with the Government about the importance of a level playing field, and create opportunities for civil society and youth to channel demands into political action. I will engage political players to stress the importance of making the necessary trade-offs for long-term stability over short-term political considerations. I will ensure that our development assistance remains focused on long-term investments to bolster democracy, such as education sector reform, improving girls' education, and investing in infrastructure.

Question. In the State Department's 2022 Trafficking in Persons Report Niger remained on Tier 2 for not fully meeting the minimum standards for the elimination of trafficking but making significant efforts to do so.

Answer. In 2019, Niger's increased efforts to combat Trafficking in Persons (TIP) resulted in an upgrade from Tier 2 Watch List to Tier 2. Since 2019, Niger has successfully maintained a Tier 2 ranking, which requires Niger to demonstrate overall increasing efforts year-on-year to bring themselves into compliance with the relevant standards. Over the past year, the Government of Niger has proposed new legislation to criminalize hereditary slavery and established an inter-ministerial committee to combat forced begging. These efforts are in addition to its increasing law enforcement efforts to investigate, prosecute, and convict traffickers and to identify and protect survivors of the crime.

Question. If confirmed, what concrete steps could you take to help Niger operationalize the prioritized recommendations contained in the TIP report?

Answer. If confirmed, I will draw on my past experience working with several African Governments to pass or strengthen anti-trafficking legislation, increase prosecutions, and provide stronger protection for victims. I will use my position to raise public awareness on trafficking in persons and work with neighboring U.S. missions and other diplomatic missions in Niamey on cross-border trafficking, particularly as it relates to migrants. I will host government officials and civil society groups on a regular basis to measure anti-trafficking progress.

Question. What is your assessment of religious freedom in Niger and if confirmed, how will you work with the Ambassador At Large for International Religious Freedom to bolster religious freedom in-country?

Answer. The constitution prohibits religious discrimination and provides for freedom of religion and worship consistent with public order, social peace, and national unity. There is no restriction on private, peaceful proselytization or conversion of an individual's personal religious beliefs from one religious faith to another. The Government prohibits open-air, public proselytization events for all religious groups, purportedly due to safety concerns. If confirmed, I will continue the Embassy's longstanding advocacy for religious tolerance and freedom, and engagement with members of all faiths in Niger. I will welcome engagement from the Ambassador-at-Large for International Religious Freedom, who met with Nigerien officials in December 2022, so our approach in Niger to promoting religious freedom is informed by the most recent guidance and best practices.

Question. If confirmed, do you commit to personally engaging with civil society on promoting religious freedom?

Answer. If confirmed, I will personally engage with civil society on promoting religious freedom. Promotion of religious freedom is vital to peaceful and tolerant society and is a defense against the spread of extremism that has been so devastating to the people of Niger.

Question. If confirmed, what concrete steps can you take to help Niger increase their societal and governmental respect for religious freedom?

Answer. If confirmed, I will use my position to host religious leaders for round-table discussion and I will meet with religious leaders during in-country trips to em-

phasize the important role they can play to prevent and mitigate conflict. I will leverage our Public Diplomacy programming and exchanges to find opportunities to expose young leaders to religious freedom issues. I also seek opportunities for U.S.-based Muslim scholars to visit Niger and interact with various audiences in and out of the capital.

Question. The State Department's 2021 Human Rights Report describes significant human rights issues in Niger including unlawful or arbitrary killings by the Government, serious restrictions on free expression and media. How will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground? How will you approach addressing these serious human rights issues with the Nigerien Government?

Answer. Working with civil society organizations is critical to our understanding of the human rights situation in Niger as they are on the frontline of addressing challenges facing their communities. If confirmed, I will encourage my team to continue to work closely with civil society so that the United States has an accurate picture of human rights concerns so that we can address them with the Government and design programming to improve the human rights situation in the country. I understand the Embassy discusses human rights issues with the Government at the highest level and I will continue to do this, if confirmed. Government officials are responsive to requests for information, and cabinet members and their staff readily meet with us to discuss various issues. Promotion of respect for human rights is an important cross-cutting priority for all mission activities. U.S. military assistance includes training the Nigerien Ministry of National Defense legal advisors on our own Uniform Code of Military Justice (UCMJ) systems; this kind of training is a critical step in improving prosecutions of such cases. Lastly, the Embassy has advocated for the training of all Nigerien soldiers on respect for human rights.

Question. According to the Conduct in U.N. Field Missions online portal, there are 11 open allegations of sexual exploitation and abuse by the country's peacekeepers deployed to U.N. peacekeeping missions, in cases from 2022, 2018, 2016, and 2015. The Nigerien Government has not explained what actions if any have been taken to address these allegations, including substantiated allegations where the perpetrators have been repatriated to Niger. How will you engage with the Niger Government to ensure that perpetrators of sexual exploitation and abuse from U.N. peacekeeping missions are held accountable?

Answer. The United States will continue urging our Nigerien interlocutors to meet peacekeeper conduct, discipline, and accountability standards, including those spelled out in U.N. Security Council Resolution 2272 (2016), championed by the United States. We will continue support to the U.N. to rigorously apply its ClearCheck vetting system, which prevents individuals subject to sexual exploitation and abuse allegations from later redeploying to peacekeeping operations. The Government has kept the mission informed about investigations into two incidents, one in 2017 and another in 2021, one of which is now with the Attorney General. If confirmed, I will advocate that the findings of these investigations be made public.

Question. How do you intend to work with senior leadership at the State Department to address acute staffing challenges at Mission Niamey?

Answer. If confirmed, I will work with the Bureau of African Affairs and Global Talent Management to identify existing gaps and future needs to ensure that Mission Niamey has the right mix of positions to achieve our goals, through the annual Mission Resource Request, and also on an ongoing basis. We will focus ahead of bidding season and proactively recruit officers. The Bureau of African Affairs and Global Talent Management are exploring increased incentive packages for Niger. Already, an additional Rest and Recuperation has been added and several civil service officers have been assigned to fill vacant foreign service positions. Niamey's vacancy rate stood at 40 percent in December 2022 and is now 26 percent with the arrival of new officers. I will keep Washington apprised of staffing needs and take advantage of different programs, such as hard-to-fill opportunities, Pickering and Rangel Fellows, and Eligible Family Member positions. Finally, I will negotiate deadlines with Washington, and the DCM and section chiefs will be empowered to triage workloads when needed to protect our employees from burnout.

Question. Many U.S. missions have been under enormous stress over the last several years, in large part due to COVID. What is your understanding of morale throughout Mission Niamey?

Answer. My understanding is that morale is good at Mission Niamey despite the challenging environment and the lingering impact of stress from COVID-19. Per-

sonnel in Niamey have a strong sense of purpose and mission. They see the results of their work and see the rewards, including through promotions. Nonetheless, the removal of COVID-19 travel restrictions has resulted in a heavy visitor workload for post, setting the scene for potential burnout as employees balance visitor support with required reporting and other taskings.

Question. How do you intend to improve morale at Mission Niamey?

Answer. My six tours in Africa taught me the importance of being attentive to each employee's professional development and ensuring that they know how their work fits into the Embassy's mission and achievement of Department goals. It also is important to take care of the needs of Eligible Family Members through employment and activities that bring the community together. Creating and maintaining an environment free of harassment and bullying is a hallmark of my leadership style and essential for employees to flourish. If confirmed, I will advocate for additional incentives for officers serving in Niamey to attract more bidders to fill vacancies and reinforce our stretched-thin workforce. Leadership at hardship posts also showed me the importance of frequent and clear communication with our employees and being inclusive in our decision-making. I will model the importance of work-life balance and ensure our managers know how to set priorities and negotiate deadlines to avoid employee burnout and promote resilience.

Question. How do you intend to create a unified mission and vision at Mission Niamey?

Answer. If confirmed, I will be leading a U.S. Government team comprised of seven agencies at post. This means ensuring all agencies understand the mission and activities of others and discussing the tradeoffs that often need to be made on foreign policy goals or Embassy operations together. I have found that a structured approach should include weekly Country Team meetings and the dissemination of minutes throughout the mission, weekly meetings with agency leaders that include the DCM to discuss programs and events, mission-wide participation in the Integrated Country Strategy and Mission Resource Request planning requests. Internal clearances on cables and memos will include relevant sections and agencies at post to ensure all perspectives and equities are included. Mission-wide off-sites and professional development days will be used to review our progress and develop our workforce skillsets and build a sense of community and mission. Finally, if confirmed, under my leadership, Mission Niamey will review our goals and achievements as we update our Integrated Country Strategy. This is an effective tool to keep all agency activity in-line with our mission goals.

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Question. Management is a key responsibility for chiefs of Mission. How would you describe your management style?

Answer. My management style is open and empowering. A lifelong athlete, I benefited from excellent coaching and know-how to strike the balance between correcting behavior and keeping employees motivated. This means jointly identifying employee weaknesses and agreeing on how to bolster the skills necessary to strengthen them. I strive to maintain a workplace atmosphere where mistakes are turned into learning opportunities. I will coach our employees through decision-making processes to develop their leadership skills and provide regular mentoring and support. I am decisive, but inclusive of a wide range of views and will communicate the "why" of a decision to make sure those who were involved and those not involved understand what the Executive Office will be doing and the rationale for it. If confirmed, the Deputy Chief of Mission and I will be attentive to workplace issues and create a harassment and bullying free environment.

Question. Do you believe it is ever acceptable or constructive to berate subordinates, either in public or in private?

Answer. It is never acceptable or constructive to berate subordinates. Performance and conduct management needs to be a regular and ongoing process. Mistakes are learning opportunities and correcting them can be an inclusive, constructive process that is done in private.

Question. How do you envision your relationship with the Deputy Chief of Mission?

Answer. I have worked previously with the current Deputy Chief of Mission (DCM) in Niger. As a three-time DCM and long-term Charge d'Affaires myself, I understand what it takes to establish and nurture a strong, collaborative relationship between the Ambassador and DCM. If confirmed, I will listen and learn from the experience of the current DCM who has served as CDA for the last 15 months and respect the relationships she has established with Nigerien officials and within the mission. I view the DCM role as a force multiplier and as someone who must be ready to step in during my absence so she will be involved in key internal and external meetings. I will expect her to deliver her honest, frank opinion so that together we can make the best decisions possible. I will create an environment in which she can feel free to disagree with me when we consider options or suggest course corrections, but that we present a united front to the mission once a decision is made. Leadership at the top must be proactive, consistent, and fair. If confirmed, I am confident the DCM and I will be able to create a positive work experience for our team in Niamey.

Question. If confirmed, what leadership responsibilities do you intend to entrust to your Deputy Chief of Mission?

Answer. The Deputy Chief of Mission (DCM) is arguably the most difficult position at post. If confirmed, I will leverage my experience as a three-time DCM to establish a strong and symbiotic relationship to oversee mission operations and conduct our foreign policy. As I lead the mission, I will need to be able to work through the DCM to ensure that we are protecting U.S. Government resources across agencies, running an efficient Interagency Cooperative Services platform, and supporting our personnel needs. The DCM will play the role of chief operating officer of the mission, but also be involved in our foreign policy agenda. I will include her in meetings with government officials and in communications with Washington. She will ensure that performance management, budget oversight, and human resources platforms are performing effectively and our operations soundly steward U.S. Government resources. I expect her to develop her managerial skills across all aspects of mission life and will coach her as needed. I also will ensure that the DCM and our other employees share in our representational activities to expand our outreach activities. I will expect the DCM to oversee our leadership, mentoring, and Diversity, Equity, Inclusion, and Accessibility programs.

Question. In order to create and continue employee excellence at the Department, accurate and direct employee evaluation reports (EERs) for Foreign Service Officers are imperative, though often lacking.

Answer. I believe that a strong performance management culture is essential backbone to professional development and to achieving mission goals. I also teach both employees and their supervisors on how best to capture an employee's achievements and use counseling discussions to improve performance. I look closely at how section heads supervise their employees and oversee U.S. Government resources and include these in their own work requirements. I teach employees that what you do is important, but how you do it is critical to achieving success in what one does. Another important component is to ensure that our Locally Employed Staff supervisors are trained formally and mentored on their supervisory responsibilities. This is important because culturally, some Locally Employed Staff are conflict-adverse and need coaching on how to correct behavior or improve performance of those they supervise.

Question. Do you believe that it is important to provide employees with accurate, constructive feedback on their performance in order to encourage improvement and reward those who most succeed in their roles?

Answer. Yes. I believe that establishing open communications between employees and their supervisors is at the core of effective performance management. Throughout my career, I have mentored supervisors on how to provide feedback, write employees performance reviews and counseling documents. If confirmed, I will continue to pay close attention to developing the performance management skills of our su-

supervisors and the employee's understanding of how the system benefits their professional development.

Question. If confirmed, would you support and encourage clear, accurate, and direct feedback to employees in order to improve performance and reward high achievers?

Answer. Yes, providing clear, accurate, and direct feedback has been a hallmark of my leadership and supervisory style. A good coach helps employees develop their skills, work on their weaknesses, and prepare them for their next assignment. I will ensure that post's mentoring programs for entry and mid-level officers are integrated into monthly professional development days. Open communications in no-fault discussions are important to making sure that both the employee and the supervisor agree and that perceptions do not diverge over expectations. I will also seek to reward high performers and ensure that the mission's award program clearly identifies benchmarks that merit recognition so that awards are meaningful. Weekly recognition of mission achievements is a way to reward performance and on-the-spot awards can be used regularly to encourage employees throughout the year. When I see exceptional performance, I also will stop by to see or send an e-mail to an employee so that they know I valued their contribution to an assignment. When I see mistakes, I send an e-mail called "Coaching Corner" to put in writing the implications of the mistake and offer suggestions on better ways to handle future situations.

Question. It is imperative that U.S. diplomats get outside of posts abroad to meet with local actors, including host government officials, non-government organizations, and local citizens.

Answer. It is imperative for diplomats to develop a wide range of contacts that include government, diplomatic community members, civil society, law enforcement, security officials, private sector businesspersons, religious and traditional leaders, regional officials, women, and youth. My analytic background drives my need to tap into diverse sources of information to better evaluate facts in order to make policy recommendations.

Question. In your experience, do U.S. diplomats get outside of our Embassy walls enough to fully accomplish their missions?

Answer. In my career, security concerns have changed the way diplomats travel in-country or get "beyond the wire." I have directed our employees to get out of the mission to meet and cultivate a wide range of contacts in and outside the capital and major cities. To enable these efforts, I have sought and received the resources necessary to support their in-country travel. In my previous assignment in Nigeria, security concerns were real across the country as they will be in Niger, but we had an obligation to monitor our robust assistance portfolio. I worked with the Regional Security Officer and Diplomatic Security to make sure we had enough armored vehicles and security assets to get our employees on the road while also ensuring their personal security. Our program was tightly controlled, but we were able to have over 360 trips outside the capital to allow our diplomats, health experts, and development officers to travel to all corners of Nigeria without incident. If confirmed, I will seek to do the same in Niger.

Question. How do you intend to improve the ability of U.S. diplomats to better access all local populations?

Answer. If confirmed, I will encourage and support in-country travel with adequate security resources and also mentor employees on thinking-outside-the-box on how to reach local populations. As a soccer player, I myself meet and interact with local population through sports and if confirmed, I will support an active sports diplomacy agenda. On a regular basis, I will ensure that our employees are maintaining contacts with regional leaders at all levels and meeting with them in their areas and when they come to the capital. It also means ensuring that employees are using representational events and funds to cultivate contacts and promote mission goals. Our Embassy in Niger already has a goal that guest lists for events include 50 percent female invitees. I will tap into the expertise of our Locally Employed Staff and our implementing partners to find ways to connect our officers with the grass-roots levels of society. I will continue public diplomacy programs that target women and youth and to leverage the extensive alumni network, which includes participants across all U.S. Government agencies to reach their home areas. In addition, I will seek ways to expand our recruitment efforts for various programs and training, such as the Ambassador's Self-Help Fund, International Military Education and Training, African Women's Entrepreneurial Program, Mandela Washington Fellows, beyond traditional contact networks. I will support cross-cultural learning from our

Locally Employed Staff and U.S. employees as well as learning of local languages. I will encourage our mission employees to participate in our English language programs to meet and support Nigerien youth.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO KATHLEEN A. FITZGIBBON BY SENATOR MARCO RUBIO

Question. In May, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." The Chinese Communist Party (CCP) clearly holds all the reins of power in the People's Republic of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit by far the largest quantity of greenhouse gases. As we speak, the Party is cracking down on unprecedented student protests across the country. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

Answer. Yes, the activities of the People's Republic of China (PRC) and Chinese Communist Party (CCP) represent a significant challenge to U.S. economic, political, and security interests globally and in the Africa region. Under President Xi, the PRC has become more repressive at home and more assertive abroad. We will defend and strengthen U.S. national security, prosperity, and values; defend international law and agreements and the other principles and institutions that maintain peace and security; and protect the rights of individuals and sovereign nations. As Deputy Chief of Mission in Nigeria, I had numerous discussions with government officials, including legislators, on the PRC's use of its influence in the U.N. and abroad in ways that undermine the rule of law, democratic principles, and the broader rules-based international order. Our engagement on these issues resonated with the Government. As Secretary Blinken said, we will invest, align, and compete with the PRC to defend our interests and build our vision for the future. If confirmed, I will invest in our partnership with Niger; highlight the risks associated with PRC engagement that could impact Niger's security, democratic principles, sovereignty, and U.S. interests; and ensure that our vision of regional security and prosperity provides the basis of a positive U.S.-Niger partnership that competes successfully with the PRC.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. We are committed to working with Beijing only if it secures American jobs, American values, and our way of life for future generations. Issues like food security, global health, climate change, the global drug trade, and COVID-19 are the very issues that directly threaten our prosperity and security and that of Niger. PRC contributions should be scrutinized, however, to ensure they are not a springboard for narrow PRC economic interests.

If confirmed, I will also work with the Department of State's new Office of China Coordination, to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the Nigerien context. This new office, inaugurated immediately following the U.S.-Africa Leaders Summit, brings together a group of China experts from throughout the Department and beyond to work more effectively with colleagues from every regional bureau and experts in international security, economics, technology, multilateral diplomacy, and strategic communications. In addition, I will direct the members of post's PRC working group to work closely with the Regional China Officer based in Abidjan.

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. The United States will engage constructively with the PRC when it is in our interest to do so in Niger. For example, issues like food security, global health, climate change, the global drug trade, and COVID-19 are the very issues that directly threaten our prosperity and security, and that of Niger, which is one of the countries most affected by climate change and is a major crossroads for smuggling routes between the continent and Europe. If confirmed, on climate change issues, I will be a staunch advocate for U.S. companies over PRC firms as the Government seeks renewable energy solutions to ameliorate the impact of climate change in Niger.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People's Republic of China in the countries, or organizations in which you will work?

Answer. If confirmed, I will consult Department guidance on engagements with PRC organizations or representatives to work together when it is in U.S. interests to do so.

Question. The State Department has framed U.S.-Niger relations as “close and friendly.” Externally, Niger is surrounded by instability, conflict and crises on its borders and is among the world poorest and least developed countries in the world. Over the past decade, as regional stability has eroded, the U.S. and Niger have increased cooperation militarily, with health aid, food security programs, and agricultural development. Niger hosts approximately 1,000 U.S. military personnel and USAID bilateral aid totaled more than \$78 million in FY2021. Niger faces external and internal terrorist and insurgent threats, ranging from Al Qaeda, Boko Haram, and IS-offshoots. As such, Niger is a top recipient on the African continent for U.S. Department of Defense (DoD)-administered Counterterrorism assistance. Given the fragile state of Niger's economy and democracy, how vulnerable is Niger to terrorist groups flourishing in their country?

Answer. President Bazoum acknowledges Niger's vulnerability to violent extremist organizations and is pursuing a multi-pronged strategy to strengthen the country's security architecture and to tackle complex issues such as education, agriculture, livelihoods, and the climate crisis. He has stated that the solution to insecurity is good governance. U.S. Government assistance is aimed at bolstering the Government's ability to deliver services in these critical areas to consolidate public support for democracy and reverse negative demographic trends. Over 70 percent of Nigeriens are youth and 70 percent of Niger's children are out of school. Most girls only get 1.4 years of education and 76 percent of them are married by 18 and have on average seven children. President Bazoum views reversing these demographics as the key to depriving violent extremist organizations of recruits and to consolidating the country's democratic gains. Our non-military bilateral investments target these demographics and are aimed at improving livelihoods. In addition to FY 2021 funding, we plan to allocate over \$90 million in FY 2022 bilateral development assistance for Niger, subject to availability of funds and congressional notification, and the Millennium Challenge Corporation has two compacts with Niger totaling \$700 million to increase agricultural outputs, increase arable land through irrigation, and strength rural road networks as well as the road to the Port of Cotonou, Benin. Our investments support Bazoum's economic priorities and he is being inclusive and attempting to balance resources across the country's region.

Niger is punching above its weight regionally and internationally as it seeks to leverage partnerships to further bolster its defenses. This includes a troop commitment to MINUSMA, G-5 Sahel, and the Multinational Joint Task Force in the Lake Chad Basin as it coordinates counter-terrorist activities with other countries in the region. It is a reliable counter-terrorism partner for the United States and active member of the D-ISIS Coalition, just recently hosting a meeting in Niamey. President Bazoum understands that defeating terrorism requires a multi-pronged approach, which includes non-military interventions in education, health, food security, and livelihoods. He views partnerships with the U.S. and other likeminded countries as critical to succeeding against violent extremists.

Question. If confirmed, how will you leverage your position to ensure Islamist insurgents do not make progress in Niger, like we have seen them make in Mali and Burkina Faso?

Answer. If confirmed, I will continue fostering our strong bilateral ties through our defense, development, democracy, and diplomatic engagements to build Niger's capacity to defend its borders and deliver services to its population to counter violent extremist groups. Our new strategy for the Sahel emphasizes governance solutions to security problems. I will leverage our assistance to support improved public service delivery to boost public confidence in democracy.

I also will reach out across Niger's elite political class to foster a consensus on achieving the country's national goals. This means promoting dialogue among the political class on the trade-offs that must be made in the short term to achieve stability over the long-term for all Nigeriens. My long experience in Africa will help me identify the interests of key political players and find common ground across politicians, civil society, and security officials. With likeminded donors, I will amplify our expectations of democratic consolidation, respect for human rights, and political inclusion. I will travel throughout Niger—security permitting—to meet with Nigeriens and promote our people-to-people relationships. I will work closely with

AFRICOM and Special Operations Command Africa to support our continued security cooperation assistance, which includes training and equipping the Nigerien armed forces and sharing information.

Question. Unfortunately, we have seen China take advantage of poor and developing countries in Africa by exploiting cheap labor and offering debt trap loans for projects or mines. Does the CCP play any role in Niger's economy, including the mining and energy sectors?

Answer. The PRC is less active in Niger relative to other African countries and has a diplomatic, but not a military presence in Niger. It is focused on oil production and infrastructure, including an oil pipeline and a hydroelectric dam. It is now adding vaccine cooperation and some economic recovery projects. The PRC has also dropped in public opinion despite its vigorous public relations campaign. Niger is skeptical of PRC investment because it uses PRC labor and delays infrastructure projects. If confirmed, I will continue the United States' robust relationship across the board with Niger, making us its partner of choice. Our development, defense, humanitarian, and democracy programs are aimed at removing constraints on economic growth, improve livelihoods and lives, enhance governance, and enhance security. We have answered the Government's request on how to counter disinformation with USAID and Public Diplomacy programs to train journalists, strengthen the foundations of journalistic integrity, and how to identify disinformation. As a result, the United States is viewed as being a supportive player in achieving Niger's overall development goals in contrast to the PRC.

Question. What steps will you take to identify projects, with Niger officials and the Development Finance Corporation, regarding opportunities for U.S. companies to compete with CCP funded projects?

Answer. If confirmed, I will ensure that post has an active interagency "Deal Team" and a China Working Group, designed to seek opportunities for U.S. businesses and to monitor PRC activities. I will establish contacts across the U.S. business community in Niger, the Corporate Council on Africa and BCIU, and lead Direct Line calls with U.S. companies on opportunities in various sectors. U.S. companies are interested in investments in the renewable energy sectors and the Government is supporting them. I will ensure that our economic officers leverage our substantial economic toolkit, which includes Power Africa and the Development Finance Corporation. I will meet with U.S. companies during visits to Niger and during consultations in Washington. Our USAID and MCC programs are deepening our contact networks and understanding of private sector investment opportunities, which can be leveraged to help U.S. companies interested in energy, agriculture, and the digital economy. Finally, I will use our diplomatic engagement to show government officials and the public that the United States is a better partner than the PRC in terms of sustainable investments aimed at bettering the lives of Nigeriens.

Question. Mali, Burkina Faso and the Central African Republic have invited the Wagner Group, a Russian private military company responsible for gross violations of human rights abuses around the world, to assist in their counter-terrorism efforts and have subsequently ended the presence of French and Western troops. In your assessment, has the participation of the Wagner Group in counter-terrorism operations led to operational gains against Boko Haram and the Islamic State?

Answer. We do not assess that the Wagner Group operations have led to operational gains. The Armed Conflict Location and Event Dataset indicates that violent extremist organization attacks are rising. The reported human rights abuses committed by Wagner and its partner armed forces will likely only serve to swell the ranks of violent extremist organizations. Niger is highly critical of the presence of the Wagner Group in neighboring Mali and Burkina Faso, particularly its reported human rights abuses and contracts for minerals and resources. President Bazoum is staunchly opposed to Wagner's activities and reported human rights abuses in both countries. Niger maintains troops in MINUSMA in Mali and have deployed troops on its borders with both Mali and Burkina Faso to defend against terrorist incursions. Russia does not have an Embassy in Niger and the Ambassador travels to Niamey from Bamako, Mali. Niger does have Russian helicopters and is looking to buy U.S. helicopters to bolster its mobility against terrorist groups. Niger also asked for our assistance in countering disinformation. Our public diplomacy and USAID programs have provided experts and training to Nigerien journalists on the importance of information integrity, how to identify disinformation, and how to counter it. The Department's Senior Bureau Official for Public Affairs traveled to Niger late last year to discuss disinformation with Niger.

Question. If confirmed, what will you do to ensure that Niger also does not invite the Wagner Group into their country?

Answer. If confirmed, I will keep President Bazoum abreast of Wagner's activities in the region and share information as appropriate. He views Wagner as a destabilizing force in the region and is firmly against its expansion into Niger. I will use interagency working groups within the mission to gather information and formulate responses. This will include our public diplomacy officers who are monitoring the press for disinformation promulgated by Wagner. I have found that thematic working groups are an effective tool in countering malign influence. Fortunately, we already have an ally in the Government of Niger, which understands the danger Wagner presents to the country's stability and long-term prosperity.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO KATHLEEN A. FITZGIBBON BY SENATOR BILL HAGERTY

As you know, on February 18, 2023, an Israeli diplomat who was an accredited observer with an entry tag was expelled from the opening ceremony of the African Union summit. In the following days, the African Union Commission Chief stated that Israel's observer status that the bloc has been suspended. These actions are part of a larger effort to delegitimize Israel by states driven by hatred. Just as biased targeting of Israel at the United Nations is a grave concern, anti-Israel actions and rhetoric in other international forums also cannot be ignored. Indeed, what happened to Israel at the AU Summit is reprehensible and unacceptable.

Question. If confirmed, what would you do to address this problem?

Answer. AU Commission Chairperson Moussa Faki Mahamat accepted the Israeli Ambassador's credentials in 2021. However, this decision was challenged by some AU member states, as permitted by the AU Constitutive Act. The AU established a Heads of State Committee, comprised of six member states, to consult on the accreditation issue with plans to report back at the 2023 AU Summit. Faki's acceptance of Israel and its observer status have been held pending his receipt of the Committee's recommendation. According to the AU, AU Chairperson Faki's staff had convened the Israeli delegation in advance of the AU Summit to ask that the delegation not attend the event, as the Committee had not yet made a final decision. I understand that with that information, Sharon Bar-li, Israeli Deputy Director General of the Africa Division of the Israeli Ministry of Foreign Affairs still decided to attend the opening ceremony on February 18 and was subsequently escorted out by AU security.

If confirmed, I would continue to advocate that Israel's role in the African Union be quickly clarified and confirmed as an observer. As Deputy Chief of Mission in Nigeria, I worked with Israel's Embassy in Abuja to convey to Nigerian Government officials the value Israeli observer status would bring to the AU. I would advocate with Nigerian officials that multilateral institutions are strongest when differing voices and perspectives are engaged to enact change that impacts global populations. Israel's impact on Africa is significant, from its contributions to technology and resources to bolstering food security efforts via substantive trade—it is an important partner to the continent and can share vital perspectives for the AU's work.

Question. What would you do to engage with foreign governments and ensure that Israel is not unfairly targeted, but rather included in future African Union summits and other regional and international forums?

Answer. If confirmed, I plan to work closely with the U.S. Mission to the African Union to continue advancing Israel's relationship with the AU. By harnessing the strong relationships that we have with member states across Africa, we can and should elevate Israel as an important partner to the African Union. I will be able to leverage my experience in the African Union-led negotiations on Darfur, where external partners were able to play a positive role at crucial points in the discussions and in committing to support AU peace agreements.

Question. If confirmed, do you commit to doing everything within your power to further regional security and prosperity by encouraging Niger to re-normalize its relations with Israel?

Answer. If confirmed, I commit to advocating for and facilitating Israel's efforts to normalize its relationship with Niger. Such efforts could include emphasizing Israel's expertise in agriculture, technology, and security, which could benefit Niger achieve its development and defense goals. I have strong working relationships with

Israeli diplomats in the region that have furthered our shared interests with host governments and will leverage those. Niger is punching above its weight in regional and international fora because it has a broad perspective on the importance of international cooperation.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO ERIC W. KNEEDLER BY SENATOR ROBERT MENENDEZ

According to the U.N. Group of Experts (GoE) for the Democratic Republic of Congo (DRC), there is overwhelming proof that Rwanda is once again supporting U.N.-sanctioned M23 rebels in eastern DRC. The Rwandan-backed M23 is now responsible for killing more than 100 Congolese civilians and displacing hundreds of thousands more, downing a U.N. helicopter and murdering several U.N. peacekeepers, numerous acts of sexual violence, and the recruitment of child soldiers.

Question. Do you agree with the U.N. Group of Experts findings that Rwanda is supporting M23 and that Rwandan troops are fighting alongside M23 in eastern DRC?

Answer. Yes, the Department of State finds the evidence presented in the report to be credible.

Question. Does documented Rwandan support for M23 mean that Rwanda is in violation of the Child Soldiers Prevention Act and section 7042(a) of FY2023 Consolidated Appropriations Act P.L. 117–328) regarding destabilizing activities in a neighboring country, including aiding and abetting armed groups?

Answer. I understand the State Department is currently going through the process of developing 2023 Child Soldiers Prevention Act (CSPA) list recommendations for the Secretary’s review. The CSPA will be published in the annual Trafficking in Persons Report, which is due to Congress no later than June 30 each year. I cannot speculate on the outcome of that review.

Since 2017, Rwanda has been subject to Section 7042(a) of FY2023 Appropriations Act, which restricts certain types of International Military Education and Training (IMET) assistance.

Question. What steps can the U.S. take to hold accountable senior Rwandan Government and military officials who are responsible for fomenting instability, violence, and gross violations of human rights in eastern DRC?

Answer. The U.S. Government has a range of possible policy tools, including targeted financial sanctions and visa restrictions, that can be utilized to promote accountability. If confirmed, I will consider every tool at my disposal to resolve this crisis.

Rwandan President Kagame’s efforts to target, kidnap, and kill dissidents both in Rwanda and abroad are well documented. U.S. permanent resident Paul Rusesabagina and his family are among those targeted by Rwanda while living in the United States. Rusesabagina, who is now illegally detained by Rwanda, was lured onto a charter flight and flown to Rwanda without his knowledge as part of an operation Rwandan President Kagame later described to the New York Times as “flawless.” According to the Organized Crime and Corruption Reporting Project (OCCRP), in 2015 the FBI told the State Department’s Bureau of African Affairs that the Rwandan Government interfered in the U.S. asylum process and “almost certainly” compromised an Immigration and Customs Enforcement (ICE) investigation into a Rwandan national who resided in the U.S. and had applied for U.S. asylum. ICE deported the applicant to Rwanda in 2016 and he is now serving a 14-year jail sentence in Rwanda for comments he made about the Rwandan regime while living in the United States. In January 2023, meanwhile, Rwandan journalist John Williams Ntwali—who was one of the only remaining journalists in Rwanda reporting on allegations of torture, disappearances, and land evictions by the Rwandan Government—was killed under mysterious circumstances.

Question. If confirmed, will you commit to meeting with the families of Paul Rusesabagina, Rwandan journalist John Williams Ntwali, and other recent victims of Rwandan Government oppression and abuse?

Answer. I am deeply concerned about the Rwandan Government's repression of dissidents, both domestically and abroad. If confirmed, I will coordinate closely with the Department and other interlocutors to ensure meeting with families and victims would be helpful or advantageous to these or other cases. If so, I will gladly meet with them.

Question. Will you commit to reviewing this FBI report before starting your assignment in Rwanda? Does the State Department agree that the Rwandan Government likely compromised an ICE investigation which resulted in an individual's deportation and subsequent imprisonment in Rwanda?

Answer. Yes, if confirmed, I will work with the FBI to review the report. While I am not in a position to speculate on the ICE investigation, if confirmed, I commit to working to counter transnational repression wherever and whenever possible.

The State Department's Travel Advisory for Rwanda is currently at the lowest level, "Level 1: Exercise Normal Precautions." This is lower than the State Department's Travel Advisory for the United Kingdom which is at "Level 2: Exercise Increased Caution."

Question. Given Kagame's well-documented practice of kidnapping, jailing, and assassinating critics, are Americans or American residents who publicly criticize the Rwandan Government safe in Rwanda?

Answer. Travel Advisories communicate to U.S. citizens the risks of travel to a particular country. The State Department does not believe U.S. citizens who criticize the Rwandan Government are in danger of kidnapping, jailing, or assassination in Rwanda.

Question. Should the State Department raise the Travel Advisory for Rwanda and add a "D" indicator to this Travel Advisory to warn Americans of the risk of wrongful detention by the Rwandan Government?

Answer. The State Department updates Travel Advisories on a regular basis. The Wrongful Detention indicator is used when there is a policy determination that U.S. citizens face the risk of wrongful detention. The State Department does not believe U.S. citizens are in danger of wrongful detention in Rwanda.

Question. Prior to Secretary Blinken's visit to Rwanda in August 2022, the State Department described Rwanda as a "strategic partner." Given Kagame's longstanding disregard for basic democratic and human rights norms, his decision to once again foment violence and instability in neighboring DRC, the illegal detention of Rusesabagina, and Kagame's continued efforts to silence critical voices and views both in Rwanda and abroad to include inside the United States, do you view President Kagame as a credible partner or someone who shares U.S. values and interests?

Answer. The United States and Rwanda share a broad and longstanding bilateral partnership. We cooperate in many areas of mutual interest, including on public health, education, the environment, and economic growth issues. Rwanda is one of the most effective implementers of U.S. assistance on the continent. However, as previously noted, U.S. and Rwandan policy views diverge in significant ways and those differences have become more pronounced in the past year. The United States is deeply concerned about Rwanda's involvement in eastern DRC and its approach to human rights, including transnational repression and the wrongful detention of Paul Rusesabagina. The United States does not see eye-to-eye with President Kagame on the best way to govern. If confirmed, I will actively engage the Government of Rwanda to resolve or reduce areas of concern and disagreement.

Question. Given the Rwandan military's support for M23, implication in the recruitment of child soldiers, and Rwanda's well-documented use of cyber tools to target dissidents in the U.S. and around the world, was it appropriate for the United States to invite members of the Rwandan military to participate in the "Justified Accord" exercise in Kenya in February 2023 and provide Rwandan security forces with training on cyber techniques?

Answer. All engagements with Rwanda are evaluated through the lens of whether the activity supports U.S. interests and is consistent with our policy to stabilize the region. If confirmed, I commit to you that I will ensure all engagements align with U.S. policy towards Rwanda and advance broader U.S. goals and objectives.

In addition to fighting alongside M23 in eastern DRC, Rwandan troops are operating in the Central African Republic and Mozambique. There are reports that the Rwandan Government is using the presence of Rwandan troops in these countries to target dissidents and secure access to natural resources. According to media, sev-

eral Rwandan businesses owned by Rwanda's ruling party have recently started operating the mining, private security, and construction sectors in Cabo Delgado in Mozambique.

Question. To what extent are Rwandan military personnel coordinating with the Wagner Group in the Central African Republic (CAR)?

Answer. I am not aware of coordination between Rwandan Defense Forces and the Wagner Group in CAR.

Question. Are Rwandan troops in CAR or Mozambique facilitating Rwandan Government or business access to natural resources, minerals, government contracts, or mining sites?

Answer. Rwanda has entered into bilateral agreements with the Central African Republic (CAR) and Mozambique. Rwanda's 2021 bilateral agreement with CAR covers security, transportation, mining, and economic planning. Kigali continues to play a constructive role in CAR as the leading troop and police contributor to the U.N. Multidimensional Integrated Stabilization Mission in CAR. In addition, Rwanda's efforts to encourage progress on the CAR peace process have been constructive. If confirmed, I would be glad to work with State Department experts to provide you with a classified briefing to discuss this topic in greater detail.

On July 20, 2022, I wrote to Secretary Blinken to express concern about the Rwandan Government's continued disregard for basic democratic and human rights norms and the need for U.S. policy to adjust accordingly. In the letter, I encouraged the Department to undertake a review of our policy toward Rwanda, clarify whether the Department can sanction Rwandan officials implicated in the kidnapping of Paul Rusesabagina, protect Americans and American residents in Rwanda by raising the Department's Travel Advisory for Rwanda from "Level 1: Exercise Normal Precautions" to "Level 3: Reconsider Travel," and consider restrictions on U.S. security assistance to Rwanda.

Question. Please provide an update on the status of my request to conduct a policy review.

Answer. I understand the interagency is currently reviewing U.S. policy towards Rwanda. If confirmed, I look forward to participating in that process or helping to implement its decisions. Again, if confirmed, I will work to ensure U.S. policy towards Rwanda aligns with U.S. national interests and objectives, and will remain in close contact with members and staff from the Senate Foreign Relations Committee.

Question. Are Rwandan Government officials responsible for transnational repression subject to sanction under the "Khashoggi Ban" or Executive Order 14078 and the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act?

Answer. I understand the United States continues to review incidents of serious, extraterritorial counter-dissident activity following Secretary Blinken's announcement of the Khashoggi Ban in February 2021. While I am aware of concerns related to reports of transnational repression by the Government of Rwanda, I cannot speculate as to how or whether the Khashoggi Ban or Executive Order 14078 could be applied in any particular case.

Question. What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. As a Political-coned officer, I have had the honor and pleasure of working closely on human rights issues at virtually every stop of my professional career. I have worked closely with human rights advocates in Mauritius, Indonesia, Thailand, the Philippines, and Kenya, supporting them in any way possible and championing their work. I have also either drafted or helped manage and supervise the process of drafting the Human Rights Report in every one of these countries. This human rights advocacy has helped civil society groups advance their critical work and sent a clear message to every host government that the United States stands shoulder to shoulder with democracy and human rights advocates.

Question. What issues are the most pressing challenges to democracy or democratic development in Rwanda? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The United States considers Rwanda to be a constitutional republic dominated by a strong presidency. The Rwandan Patriotic Front (RPF) has ruled Rwanda since 1994. President Kagame has been in power since 2000 and faced elections in 2003, 2010, and 2017, each time winning more than 90 percent of the vote. The Government represses its political opponents, both in Rwanda and abroad, and members of opposition parties face the threat of disappearance, arbitrary arrest and detention, and assassination. Kagame has already indicated he plans to run in the 2024 presidential election. As the election approaches, it is likely Rwanda's political space will become even more restrictive, as Kagame seeks to intimidate, disappear, and threaten opponents. If confirmed, I will strongly support and promote the benefits of democracy—not just in practice but in substance—to Rwandans. I will encourage the Government of Rwanda to ensure and respect the rights of its citizens to exercise their rights to freedoms of expression, conscience, and peaceful assembly, including through the electoral process, and underscore that meaningful progress on democratic performance will contribute to Rwanda's long-term peace and stability and bolster its capacity to achieve Rwanda's ambitious development and economic growth goals.

Question. What steps will you take—if confirmed—to support democracy in Rwanda? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. As promoting democracy within the Government of Rwanda is a difficult task, Mission Kigali's approach to diplomacy and assistance recognizes the indispensable role of civil society in Rwanda. Democracy, human rights, and governance programming supports civil society organizations engaging with their communities and with government officials on citizen involvement in government processes. Promoting greater government accountability is an integral part of this. The Embassy also regularly meets with members of civil society to be sure their input is included in our approach to the U.S.-Rwanda bilateral relationship. If confirmed, I will strongly support the ongoing efforts to promote democracy in Rwanda and encourage my team to seek out creative engagement and new programming ideas. As stated above, there are significant challenges to promoting democracy in Rwanda. However, it is important to further accelerate these critical efforts.

Question. How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will leverage U.S. Government assistance resources to support democracy, respect for human rights, and good governance as vigorously as possible. I will consult with USAID, the State Department's Bureau of Democracy, Rights and Labor, other agencies and offices, civil society, and non-governmental organizations to determine whether we should pursue new programming approaches that might help unlock additional progress. I will ensure all assistance programs administered by Mission Kigali are as effective and impactful as possible.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Rwanda? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I will gladly meet with civil society members, local and international human rights and other NGOs, as well as other members of civil society in Rwanda. I believe meeting with these organizations sends a clear message to the Government of Rwanda and these organizations that the United States supports their work, leading to incremental progress in the democracy, rights, and governance arena. I will work with partners on the ground and the Government to stop efforts to restrict or penalize NGOs and civil society.

Question. If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meeting with democratically oriented political opposition figures and parties in Rwanda and will welcome their recommendations about what additional steps Mission Kigali could take to encourage genuine political competition. Rwanda is a global leader in gender equality, but I will advocate for greater access and inclusivity for women, as well as minorities and youth within political parties.

Question. Will you and your Embassy team actively engage with Rwanda on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Rwanda?

Answer. Yes. Mission Kigali regularly meets with independent, local press in Rwanda and, if confirmed, I will welcome the opportunity to participate in those engagements. Mission Kigali will continue to identify opportunities to discuss and promote press freedom with the Government of Rwanda.

Question. Will you and your Embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. The People's Republic of China (PRC), in particular, actively messages in Rwanda. Mission Kigali's public messaging promotes U.S. values and explains the value of U.S.-Rwanda bilateral cooperation to the people of Rwanda. The United States has a good story to tell in Rwanda, a story that can effectively counter disinformation. If confirmed, I look forward to telling it wherever and whenever possible.

Question. Will you and your Embassy teams actively engage with Rwanda on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I plan to meet regularly with labor unions and workers to hear their concerns and ideas. Engaging with the Government of Rwanda, businesses, and trade unions to promote worker rights is critical to building a strong middle class and achieving sustainable, long-term, inclusive economic growth.

Question. Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Rwanda, no matter their sexual orientation or gender identity?

Answer. Yes. All people deserve to have their human rights and dignity respected and defended, regardless of their sexual orientation, gender identity or expression, or sex characteristics.

Question. What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Rwanda?

Answer. Although Rwanda does not criminalize LGBTQI+ conduct or identity, Rwandan society stigmatizes LGBTQI+ persons. Rwandan law does not protect LGBTQI+ persons from discrimination based on sexual orientation, gender identity or expression, or sex characteristics. Embassy Kigali reports that LGBTQI+ community members believe that hate speech and harassment, especially of transgender persons, is increasing. Rwandan law does not provide for marriage equality—but neither is marriage equality criminalized. LGBTQI+ persons in Rwanda experience societal discrimination, stigmatization, and abuse. LGBTQI+ civil society and community members report that government officials do not adequately respond to reports of abuse and crimes committed against LGBTQI+ persons, especially at the local government levels, and thus LGBTQI+ persons often do not report crimes committed against them for fear authorities would be indifferent or complicit. LGBTQI+ persons have difficulty registering non-governmental organizations.

Question. What specifically will you commit to do to help LGBTQ people in Rwanda?

Answer. Embassy Kigali assesses there are many opportunities to engage the Government of Rwanda, civil society, and the media to advance the human rights of LGBTQI+ persons. If confirmed, I look forward to exploring these opportunities and supporting LGBTQI+ persons in any way I can.

Question. Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff each time you are in Washington for visits or consultations during your tenure as Ambassador to Rwanda?

Answer. Yes, if confirmed, I will be glad to brief relevant Members of Congress and/or their staff, as appropriate, in coordination with the Bureau of Legislative Affairs.

Question. How do you anticipate fostering diversity, equity, inclusion, and accessibility at the U.S. Embassy in Rwanda?

Answer. If confirmed, one of my top priorities would be to advance the goals and objectives of Mission Kigali's Diversity, Equity, Inclusion and Accessibility (DEIA) Committee. I would emphasize in Town Halls, Country Team, and Senior Staff discussions from the outset that the DEIA's work is of paramount importance and will

require the focus, attention, and input of the entire community. In addition, I will apply lessons learned from my time leading Mission Nairobi's DEIA team, while also underscoring the importance of active and inclusive mentoring.

Question. What specifically will you do to prioritize and promote diversity, equity, inclusion, and accessibility, while also combating racism, discrimination, and inequality among locally employed staff in Rwanda?

Answer. If confirmed, I will underscore from the outset in Town Halls and discussions with Locally Employed (LE) staff my expectation that the entire Mission will be actively engaged in promoting diversity, equity, inclusion, and accessibility. I will also make it very clear that under my leadership, Mission Kigali will not tolerate racism, discrimination, or inequality in any form.

Question. In addition to focusing on diversity, equity, inclusion, and accessibility in our workforce, will you commit to engaging more equitably in operations and programming, particularly with potential partners and communities that traditionally have been marginalized, excluded, or underrepresented in ours and others' donor and partnership efforts? How do you anticipate utilizing local expertise, knowledge, and capacity to meet our foreign policy goals?

Answer. If confirmed, I will commit to engaging more equitably in operations and programming, particularly with potential partners and communities that traditionally have been marginalized, excluded, or underrepresented in ours and others' donor and partnership efforts.

If confirmed, I will ensure Mission staff prioritize travel throughout the country, regular engagement and exchanges with host country nationals, and the critical contact work that fuels effective diplomacy overseas. I would work to remove any impediments standing in the way of allowing this to happen so that the Mission team can best advance our foreign policy goals.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO ERIC W. KNEEDLER BY SENATOR JAMES E. RISCH

Question. As U.S. Ambassador to Rwanda, if confirmed, do you commit to regularly engaging with the Rwandan Government over its continued unlawful detention of U.S. permanent resident and recipient of the Presidential Medal of Freedom Paul Rusesabagina?

Answer. Yes. I have been following Mr. Rusesabagina's case very closely. If confirmed, resolving this case will be one of my top priorities, and I will maintain high-level engagement with the Government of Rwanda and pursue any and all avenues that might help resolve this matter as expeditiously as possible.

Question. As U.S. Ambassador, if confirmed, how will you view the continued unlawful detention of Mr. Rusesabagina in the context of the broader U.S./Rwanda relationship?

Answer. The wrongful detention of Paul Rusesabagina is a significant bilateral irritant, and the Department of State has made this very clear to the Government of Rwanda on multiple occasions. This case is one of a number of issues that has negatively impacted the bilateral relationship and is preventing the United States and Rwanda from expanding cooperation and collaboration.

Question. As U.S. Ambassador, if confirmed, do you commit to ensuring that, in coordination with the Belgian Embassy, Paul Rusesabagina receives a consular visit on a monthly basis?

Answer. Yes.

Question. On January 19, 2023, Rwandan authorities reported that leading investigative journalist John Williams Ntwali, who reported on human rights abuses in Rwanda, died in a vehicle accident a day prior. The lack of a credible independent and transparent investigation further raises suspicions about the circumstances around his death. As U.S. Ambassador to Rwanda, if confirmed, how will you engage the Rwandan Government on this issue?

Answer. The Department of State is concerned about the death of John Williams Ntwali and has monitored the case closely from the first report. I understand the Government of Rwanda has been forthcoming with Embassy Kigali about the case. However, I agree that the rapid investigation and closed trial do raise questions. If confirmed, I will raise this case and similar cases with Rwandan Government counterparts. I will strongly advocate for freedom of expression and media freedom

as part of the U.S. Government's broader commitment to supporting and promoting respect for human rights.

Question. What is your view of the crisis in Eastern Congo—particularly since the reengagement of M23—and Rwanda's role in it?

Answer. I am alarmed by the situation in eastern Democratic Republic of the Congo (DRC), where escalating violence is exacerbating immense human suffering, leading to hundreds of deaths and the internal displacement of over 600,000 people. I am deeply concerned with Rwanda's troop presence in the DRC, which violates the DRC's territorial integrity, and their support for the M23 armed group, which is public knowledge due to the U.N. Group of Experts midterm report released in December. The United States supports the mediation efforts led by Angola and the East African Community to resolve the longstanding crisis and has been urging the Rwandan and DRC Governments at the highest levels for more than a year to deescalate tensions and commit to peace. Rwanda's concerns about armed groups espousing genocidal ideologies are understandable but must be addressed through consultations with the Government of the DRC and cannot justify support for other armed groups or incursions by the Rwandan military. I believe Rwanda and the DRC have much to gain from cooperative relations with neighbors and a more stable region.

Question. How will you engage the Rwandans on the crisis in Eastern Congo as U.S. Ambassador, if confirmed?

Answer. If confirmed, I will reinforce the messages that Secretary Blinken and other senior U.S. officials have delivered: that Rwanda, and all countries in the region, must respect the DRC's territorial integrity and that Rwandan military incursions into the DRC are not acceptable. I will pursue creative solutions to the crisis and work with any and all helpful partners. I will explain how Rwanda's actions damage our bilateral relationship.

Rwanda has been, and remains, an important partner to the United States, particularly related to security on the continent. Rwanda is proving critical to stabilizing the situation in Northern Mozambique and potentially in the Central African Republic.

Question. As U.S. Ambassador, if confirmed, how will you balance the U.S. security relationship with Rwanda with our concerns over Rwanda's democratic record, particularly as it relates to repression of dissenting voices within and outside Rwanda?

Answer. The U.S.-Rwanda bilateral relationship is complex. Though we cooperate in many areas, there are significant ways in which our policy views diverge. As I understand it, the United States has paused all new obligations of bilateral security assistance programming to Rwanda. If confirmed, I commit to you that I will evaluate all engagements with Rwanda with a focus on whether the activity supports U.S. interests and is consistent with our policy to stabilize the region.

Question. As U.S. Ambassador, if confirmed, how will you view the continued unlawful detention of Mr. Rusesabagina in the context of the broader U.S./Rwanda relationship?

Answer. The wrongful detention of Paul Rusesabagina is a significant bilateral irritant, and the Department of State has made this very clear to the Government of Rwanda on multiple occasions. This case is one of a number of issues that has negatively impacted the bilateral relationship and is preventing the United States and Rwanda from expanding cooperation and collaboration.

In the State Department's 2022 Trafficking in Persons Report, Rwanda remained on Tier 2 for not fully meeting the minimum standards for the elimination of trafficking but is making significant efforts to do so.

Question. If confirmed, what concrete steps could you take to help Rwanda operationalize the prioritized recommendations contained in the TIP report?

Answer. If confirmed, I will encourage the Government of Rwanda to work on the prioritized recommendations listed in the annual Trafficking in Persons report. In particular, I will urge them to ensure traffickers are held accountable for their actions by increasing effective investigations and prosecutions. I will also encourage them to develop a mechanism for screening for potential trafficking victims among vulnerable populations in order to refer them to protective services.

In the State Department's 2021 International Religious Freedom report, Rwanda was noted to have a strict faith-based organization law and the

need for transparency in working with religious groups on the law's implementation and requirements.

Question. What is your assessment of religious freedom in Rwanda and if confirmed, how will you work with the Ambassador At Large for International Religious Freedom to bolster religious freedom in-country?

Answer. Religious freedom is a U.S. foreign policy priority. The Department continues to closely monitor the religious freedom situation in Rwanda and the region. While Rwandan law prohibits religious discrimination, the law on faith-based organizations led to strict regulations that some civil society and religious groups have noted make it prohibitively expensive or burdensome for religious groups to operate in Rwanda. If confirmed, I will support the Embassy's ongoing efforts, in close coordination with the Office of International Religious Freedom and Ambassador at Large Hussain, to engage with the Rwandan Government on these issues and promote protections for religious freedom.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes, if confirmed, I commit to engaging with civil society on this important issue.

Question. If confirmed, what concrete steps can you take to help Rwanda increase their societal and governmental respect for religious freedom?

Answer. If confirmed, I will support Embassy Kigali's ongoing efforts to engage with the Government on this issue. I will urge the Government to protect religious freedom for people of all beliefs, as well as promote greater transparency and equity with the implementation of registration and regulation of religious groups and other relevant laws.

In the State Department's 2021 Human Rights Report, Rwanda was identified to have significant human rights issues including unlawful or arbitrary killings by the Government, politically motivated reprisals, and restrictions on internet freedom.

Question. If confirmed, how will you direct your Embassy to work with the Government to improve the human rights situation on the ground?

Answer. Though Rwanda is a challenging environment for human rights, the Government of Rwanda has demonstrated some willingness to engage in dialogue, and there are areas of possible collaboration and some potential for progress. If confirmed, I will ensure the Government of Rwanda knows democracy and human rights issues are at the forefront of U.S. foreign policy and will be on the agenda at every meeting. I will direct my team to identify and engage areas of opportunity. If confirmed, one of my top priorities would be to take a fresh look at human rights-related programming and seek to expand the scope and impact of the United States' work on human rights issues.

Question. How will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground?

Answer. Embassy Kigali enjoys close collaboration with a range of civil society organizations that are able to operate in Rwanda. If confirmed, I will encourage the Mission to continue the strong work they are already doing to support civil society and promote democracy, respect for human rights, and good governance. I will also work to identify creative new opportunities to advance these critical efforts.

Question. What is your understanding of morale throughout Mission Kigali?

Answer. My understanding from the most recent Mission Kigali morale survey is that, by and large, morale is quite high within the Embassy.

Question. How do you intend to improve morale at Mission Kigali?

Answer. If confirmed, I would work to ensure that Mission morale remains high and do everything possible to reinforce to the community that I have no higher priority than the safety, security, health, and welfare of our Mission personnel. In addition, I would make it clear that I will do everything in my power to ensure they have all the resources and support they need, both personally and professionally.

Question. How do you intend to create a unified mission and vision at Mission Kigali?

Answer. If confirmed, I would work to ensure every member of the Mission Kigali community has a clear understanding of our Embassy goals, their role in advancing them, and how our collective work directly advances U.S. national security interests.

Question. How do you intend to improve morale at Mission Kigali?

Answer. If confirmed, I would work to ensure that Mission morale remains high and do everything possible to reinforce to the community that I have no higher priority than the safety, security, health, and welfare of our Mission personnel. In addition, I would make it clear that I will do everything in my power to ensure they have all the resources and support they need, both personally and professionally.

Question. How would you describe your management style?

Answer. I would describe my management style as calm, accessible and characterized by self-awareness and humility with a particular emphasis on inclusiveness. I never have and never will tolerate any form of bullying, harassment, or discrimination.

Question. Do you believe it is ever acceptable or constructive to berate subordinates, either in public or in private?

Answer. It is unacceptable to berate subordinates under any circumstances.

Question. How do you envision your relationship with the deputy chief of mission?

Answer. If confirmed, one of my top priorities would be to quickly forge a strong and productive working relationship with the Deputy Chief of Mission (DCM), who has a wealth of experience in Rwanda from her extensive time as Chargé d'Affaires. It is essential for the Ambassador and DCM to be fully aligned in advancing the work of the Mission team, and I would ensure that is the case in Kigali.

Question. If confirmed, what leadership responsibilities do you intend to entrust to your deputy chief of mission?

Answer. If confirmed, I would work to ensure the entire Mission community knows not only that the DCM has my full confidence and trust, but also that the DCM always speaks authoritatively on my behalf. My goal would be to quickly establish that there is no daylight between the two of us on any Mission-related issues.

In order to create and continue employee excellence at the Department, accurate and direct employee evaluation reports (EERs) for Foreign Service Officers are imperative, though often lacking

Question. Do you believe that it is important to provide employees with accurate, constructive feedback on their performance in order to encourage improvement and reward those who most succeed in their roles?

Answer. Yes, it is critical to provide employees with accurate, constructive feedback on their performance in order to encourage improvement and reward those who most succeed in their roles.

Question. If confirmed, would you support and encourage clear, accurate, and direct feedback to employees in order to improve performance and reward high achievers?

Answer. Yes, if confirmed, I would support and encourage clear, accurate, and direct feedback to employees in order to improve performance and reward high achievers.

Question. In your experience, do U.S. diplomats get outside of our Embassy walls enough to fully accomplish their missions?

Answer. Yes, during every one of my previous assignments I believe U.S. diplomats have been able to get outside of the Embassy's walls enough to fully accomplish our respective missions. If confirmed, I would ensure Mission staff place a real emphasis on doing so in consultation with the Regional Security Officer.

Question. How do you intend to improve the ability of U.S. diplomats to better access all local populations?

Answer. If confirmed, I will ensure Mission staff prioritize travel throughout the country, regular engagement and exchanges with host country nationals, and the critical contact work that fuels effective diplomacy overseas. I would work to remove any unnecessary impediments standing in the way of allowing this to happen.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO ERIC W. KNEEDLER BY SENATOR MARCO RUBIO

In May, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." The Chinese Communist Party (CCP) clearly holds all the reins of power in the People's Republic of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit by far the largest quantity of greenhouse gases. As we speak, the Party is cracking down on unprecedented student protests across the country. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose.

Question. Is the Chinese Communist Party a threat to the United States?

Answer. Yes, the activities of the People's Republic of China (PRC) and Chinese Communist Party (CCP) represent a significant challenge to U.S. economic, political, and security interests globally and in the Africa region. Under President Xi, the Chinese Communist Party has become more repressive at home and more assertive abroad. We will defend and strengthen U.S. national security, prosperity, and values; defend international law and agreements and the other principles and institutions that maintain peace and security; and protect the rights of individuals and sovereign nations.

As Chargé d'Affaires, a.i. at our Embassy in Nairobi in my last assignment, I saw first-hand how the PRC uses its influence abroad to undermine the rule of law, democratic principles, and the broader rules-based international order. On May 26, Secretary Blinken said we will invest in our domestic strength and align with our allies and partners so that we can compete effectively with the PRC to defend our interests. If confirmed, I will promote U.S. investments in Rwanda and seek to highlight the risks associated with the kinds of PRC engagement that could impact Rwanda's security, economy, and sovereignty.

I will also continue to deepen our partnership with Rwanda and engage with the Rwandans to deliver the message that as Rwanda's largest humanitarian and development partner, the United States is committed to Rwanda's future, in contrast to the PRC's transactional approach to engaging with other countries.

In addition, I will ensure that our vision of regional security and prosperity remains the core of a strong U.S.-Rwanda partnership that offers an attractive alternative to the type of relationship offered by the PRC. If confirmed, I will also work with the Bureau of African Affairs and other Department stakeholders, including Department of State's new Office of China Coordination, to advance U.S. objectives and counter harmful behavior by the PRC and other actors in Rwanda.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. We are committed to working with Beijing only if it secures American jobs, American values, and our way of life for future generations. Issues like climate change, the global drug trade, and COVID-19 are the very issues that directly threaten our prosperity and security. PRC contributions should be scrutinized, however, to ensure they are not a springboard for narrow PRC economic interests.

If confirmed, I will also work with the Department of State's new Office of China Coordination, to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the Rwandan context. This new office, inaugurated immediately following the U.S.-Africa Leaders Summit, brings together a group of China experts from throughout the Department and beyond to work more effectively with colleagues from every regional bureau and experts in international security, economics, technology, multilateral diplomacy, and strategic communications. In addition, I will direct the members of post's PRC working group to work closely with the Regional China Officer based in Abidjan.

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. The United States broadly, and Mission Kigali specifically, should work with the PRC where our interests clearly coincide. Areas of potential cooperation include food security, global climate change, counter-narcotics, or disaster relief. If confirmed, the Mission would be ready to take advantage of such opportunities if they clearly advanced U.S. interests and policy goals.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People's Republic of China in the countries, or organizations in which you will work?

Answer. If confirmed, I will consult Department guidance on engagement with PRC organizations or representatives to work together when it is in U.S. interests to do so.

Question. During an August 2022 visit to Rwanda, Secretary Blinken informed President Kagame that U.S. officials would “continue to engage” on the questionable detainment of Paul Rusesabagina, who is most well-known for sheltering refugees of the Rwandan genocide. Do you believe there is any evidence that substantiates the Rwandan Government’s charges against Rusesabagina?

Answer. I understand the United States has not taken a position on the substance or merits of the charges against Mr. Rusesabagina. The Department of State determined he was wrongfully detained, and if confirmed, I will fully support that determination and work for his release.

Question. If confirmed, how will you engage to obtain Rusesabagina’s release?

Answer. I have been following Mr. Rusesabagina’s case very closely. If confirmed, resolving this case will be one of my top priorities, and I will maintain high-level engagement with the Government of Rwanda and pursue any and all avenues that might help resolve this matter as expeditiously as possible.

Question. Have you spoken, or met, with Mr. Rusesabagina’s family to discuss his detainment?

Answer. No. As the nominee, it is not appropriate for me to speak with or meet Mr. Rusesabagina’s family at this time.

Question. Has Africa Bureau Assistant Secretary Molly Phee met or spoken with Rusesabagina’s family members? If not, why not?

Answer. As far as I know, Assistant Secretary Phee has not met with Mr. Rusesabagina’s family members, although others in the Department, including the Special Presidential Envoy for Hostage Affairs, are in regular contact.

Question. Rwanda has partnered with the CCP’s Belt and Road Initiative and has welcomed infrastructure, China-based technology such as Huawei, and military training. What steps will you take to identify projects with Rwandan officials and the Development Finance Corporation regarding opportunities for U.S. companies to compete with CCP funded projects?

Answer. If confirmed, I would work with Embassy Kigali’s Deal Team—an Embassy interagency working group promoting U.S. trade and investment in Rwanda—to offer alternatives to the PRC’s investments wherever and whenever possible. The Deal Team can help spur additional U.S. investments in the health, banking, housing, hospitality, and water treatment sectors, as well as other areas. If confirmed, I would also work with the American Chamber of Commerce to explore new investment opportunities. The Chamber continues to grow by adding new members and engages frequently with the Government of Rwanda to improve the investment climate and ensure a level playing field for U.S. firms. The Development Finance Corporation (DFC), the U.S. Trade and Development Agency (USTDA), the Department of Commerce, and others in the U.S. interagency also continue to maintain portfolios in Rwanda that I would work to fully leverage. Meanwhile, I would work with Embassy Kigali’s public affairs team to explain the value of U.S.-Rwanda bilateral cooperation to the people of Rwanda.

At every stop in my diplomatic career, promoting U.S. interests and values has been a top priority. For example, I was a member of the negotiating team that secured the Enhanced Defense Cooperation Agreement (EDCA) agreement between the United States and the Philippines. During my last assignment in Kenya, I helped establish Mission Nairobi’s Deal Team, which aligns the Embassy’s entire Country Team behind a unified effort to secure economic and commercial opportunities for U.S. firms, creating jobs for the American people and reinforcing our status as the preferred partner of choice in Kenya.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO ERIC W. KNEEDLER BY SENATOR BILL HAGERTY

Combating Anti-Israel Bias in the African Union and Other International Forums

As you know, on February 18, 2023, an Israeli diplomat who was an accredited observer with an entry tag was expelled from the opening ceremony of the African Union summit. In the following days, the African Union Commission Chief stated that Israel’s observer status that the bloc has been sus-

pended. These actions are part of a larger effort to delegitimize Israel by states driven by hatred. Just as biased targeting of Israel at the United Nations is a grave concern, anti-Israel actions and rhetoric in other international forums also cannot be ignored. Indeed, what happened to Israel at the AU Summit is reprehensible and unacceptable.

Question. If confirmed, what would you do to address this problem?

Answer. AU Commission Chairperson Moussa Faki Mahamat accepted the Israeli Ambassador's credentials in 2021. However, this decision was challenged by some AU member states, as permitted by the AU Constitutive Act. The AU then established a Heads of State Committee to consult on the accreditation issue with plans to report back at the 2023 AU Summit. The Committee is composed of six member states, with three opposing (Algeria, South Africa, Nigeria) and three supporting (Cameroon, Democratic Republic of Congo, Rwanda). Faki's acceptance of Israel and its observer status are on hold pending his receipt of the Committee's recommendation.

If confirmed, I would work with the Rwandan Government to press the AU take immediate steps to confirm Israel as an observer. Multilateral institutions are strongest when differing voices and perspectives come together to effect changes that impact global populations. Israel's impact on Africa is significant, from its contributions to technology and resources to bolstering food security efforts via substantive trade. Israel is an important partner to the continent. The United States and Rwanda are fully aligned on this issue. Rwanda is a strong supporter of Israel.

Question. What would you do to engage with foreign governments and ensure that Israel is not unfairly targeted, but rather included in future African Union summits and other regional and international forums?

Answer. If confirmed, I will work closely with the U.S. Mission to the African Union to continue to strengthen Israel's relationship with the AU. By harnessing the strong relationships, we have with member states across Africa, we can and should elevate Israel's status as an important partner to the African Union.

Chinese Influence in Rwanda

China's influence in Rwanda has been growing over the past decade, with the Chinese Government and Chinese companies playing an increasingly prominent role in the country's economy and infrastructure development.

Question. Are you concerned about China having outsized influence in Rwanda?

Answer. Countering the PRC's significant influence and role in Rwanda will be a priority for me, if confirmed. Although the People's Republic of China (PRC) has not made inroads as substantial in Rwanda as in many other parts of Africa, the PRC does have significant investments in the transportation, energy, and real estate sectors. If confirmed, I will follow the Administration's policy of competing and contesting the PRC's engagement in Rwanda as appropriate and advancing our national interests.

Question. If confirmed, what steps would you take to counter China's influence?

Answer. If confirmed, I would work with Embassy Kigali's Deal Team—an Embassy interagency working group promoting U.S. trade and investment in Rwanda—to counter the People's Republic of China's (PRC) investments wherever and whenever possible. The Deal Team can help spur additional U.S. investments in the health, banking, housing, hospitality, and water treatment sectors, as well as other areas. If confirmed, I would also work with the American Chamber of Commerce to explore new investment opportunities. The Chamber continues to grow by adding new members and engages frequently with the Government of Rwanda to improve the investment climate and ensure a level playing field for U.S. firms. The Development Finance Corporation (DFC), the U.S. Trade and Development Agency (USTDA), the Department of Commerce, and others in the U.S. interagency also continue to maintain portfolios in Rwanda that I would work to fully leverage. Meanwhile, I would work with Embassy Kigali's public affairs team to explain the value of U.S.-Rwanda bilateral cooperation to the people of Rwanda.

At every stop in my diplomatic career, competing with the PRC has been a top priority. For example, I was a member of the negotiating team that secured the Enhanced Defense Cooperation Agreement (EDCA) agreement between the United States and the Philippines, an agreement that allows the United States to rotate troops into the Philippines, as well as operate facilities on Philippine bases for both American and Philippine forces. During my last assignment in Kenya, I helped establish Mission Nairobi's Deal Team, which aligns the Embassy's entire Country Team behind a unified effort to secure economic and commercial opportunities for

U.S. firms, creating jobs for the American people and reinforcing our status as the preferred partner of choice in Kenya.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO PAMELA M. TREMONT BY SENATOR ROBERT MENEDEZ

Question. ZANU-PF has captured the country's parliament, judiciary, and security services in order to ensure political control of the country. There is little chance that this year's election will be free, fair, transparent, or even non-violent. In such an oppressive environment, what opportunities are there to support democratic voices and make tangible progress towards accountable, democratic governance?

Answer. The USG and Embassy Harare continually seek opportunities to support media, human rights defenders, and civil society organizations—each of which play a key role in the monitoring and analysis of democratic trends, advocacy, and training for individuals and vulnerable groups. U.S. support enables these groups to speak out against oppression and sheds light on the government's anti-democratic and corrupt activities. In addition, U.S. programs support voter registration and voter education to encourage Zimbabweans to express their political will and hold their elected leaders accountable. As civic and political space close in the lead-up to and after this year's elections, it will be critical to continue U.S. support for human rights advocacy and legal support for individuals and organizations that promote democratic governance, especially those targeted for suppression and violence.

Question. If confirmed, what specific actions will you take to support civil society, media and others working to increase democratic space?

Answer. If confirmed, I will work with the Country Team to understand the full scope of U.S. programming and assistance to increase democratic space. I will engage in frank and respectful dialogue with government and political actors to urge respect for fundamental rights. Where and when appropriate, I will publicly promote the efforts of civil society organizations, free and independent media, and other key actors working in this space. I will make myself and members of the Embassy available to civil society for consultation and guidance and engage with journalists to convey messages of U.S. values and support for democratic processes and institutions.

Question. The enactment of the PVO Amendment Act would have a severe impact on the capability and safety of non-governmental organizations in Zimbabwe, including U.S.-funded organizations. What specific actions will you take in response to the enactment of the PVO Amendment Act, and to the implementation of its provisions against NGOs?

Answer. If confirmed, I am committed to working with Mission Harare colleagues to identify, assess, and manage risks associated with the potential enactment of the PVO Amendment bill, using USAID's risk management framework. If President Mnangagwa signs the PVO Amendment bill into law, I will direct Embassy messaging to publicly rebuke it (in coordination with like-minded embassies). Privately, I will engage diplomatically with the Government of Zimbabwe, calling on decision makers to exercise restraint in its implementation. I will work with the Mission Harare Country Team and colleagues in Washington to determine appropriate responses if a U.S.-funded NGO is targeted, drawing from the experiences of other embassies in countries where similar legislation has been enacted.

Question. What actions will you take to support affected NGOs, particularly USAID partner organizations?

Answer. If confirmed, I will begin my tenure with outreach, acknowledgement, and support for the work of USAID implementing partners. Civil society actors in Zimbabwe have borne the brunt of harassment and scrutiny in recent years and face the prospect of increased government interference if the PVO Amendment bill is enacted. When appropriate, I will meet publicly with USAID partner organizations and conduct site visits to U.S.-funded programs to demonstrate U.S. support for these initiatives. I will also ensure all U.S. programs are selected in accordance with the Brownback amendment.

Question. What steps will you take to counter false narratives related to U.S. sanctions in Zimbabwe?

Answer. If confirmed, I will engage publicly and privately with interlocutors about U.S. sanctions to dispel myths and set the record straight for the people of Zimbabwe. As Ambassador, I will use my voice and office to reinforce the message

that U.S. sanctions are targeted against human rights abusers and corrupt individuals and entities to prevent them from utilizing U.S. banks and institutions for their ill-gotten gains. I will highlight updates to our sanctions list, including the removal of individuals and entities from the list so that the public can see the sanctions can and are lifted when malign activity ceases. I would also highlight corruption and failed economic policies as the root causes of Zimbabwe's economic problems.

Question. Despite the authoritarian nature of ZANU-PF, other countries in Southern Africa—many of them strong democracies—have been reticent to criticize the regime. The Southern African Development Community has not taken any action with regards to pressing the regime to open political space. Are there actions the United States could undertake to convince countries in Southern Africa to advocate for democratic reform in Zimbabwe?

Answer. If confirmed, I look forward to constructive engagement with the U.S. interagency and my colleagues and counterparts in Southern Africa to persuade regional actors such as the Southern African Development Community (SADC) to advocate for democratic reforms in Zimbabwe, including by emphasizing the destabilizing nature of Zimbabwe's current posture and by addressing their concerns about the impact of U.S. sanctions. I believe SADC is best suited to impress upon the Government of Zimbabwe the need for democratic reform, non-violent elections, and productive engagement with the U.S. and others.

Question. If confirmed, how will you work with U.S. Ambassadors in Southern Africa to press governments in the subregion to take meaningful bilateral action, and actions through SADC?

Answer. If confirmed, I will engage my colleagues and counterparts in key Southern Africa Development Community member states to coordinate messaging and outreach regarding collective pressure and advocacy on Zimbabwe. U.S. Ambassadors in Southern Africa are well-placed to understand their host country equities, share information, and raise security and stability concerns posed by Zimbabwe for the wider region and to identify Southern African individuals who may be effective interlocutors with Zimbabwean leaders.

Question. What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career, I have promoted and supported democracy and respect for human rights, including through U.S. electoral assistance programs in Comoros and Zambia. In the Comoros, I organized a U.S.-sponsored election observer mission of Mauritian observers, thereby increasing the regional observer capacity. In Zambia I oversaw the Embassy election observation team for the 2008 presidential elections. In Kyiv, I coordinated U.S. assistance for the 2019 Ukrainian presidential election just months after Russia's attack on Ukrainian ships ushered in a period of martial law. Our assistance gave Ukrainians confidence in the electoral process to elect Presidential Zelensky.

Question. What issues are the most pressing challenges to democracy or democratic development in Zimbabwe? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Zimbabwe suffers from numerous challenges to its democracy, including endemic corruption, weak rule of law, allegations of human rights violations and abuses, shrinking democratic and civic space, a captured judiciary, political intolerance, and political polarization that pits citizens and critics of the Government against each other. At the center of these challenges, the Government of Zimbabwe utilizes lawfare to target its rivals. The ruling ZANU-PF party has benefited from state capture and has allowed party elites to determine who has access to government positions, services, resources, the economy, and even justice.

Question. What steps will you take—if confirmed—to support democracy in Zimbabwe? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Zimbabwe's 2013 constitution guarantees human rights and fundamental freedoms to all, including the rights to freedom of expression, association, and peaceful assembly. The Government of Zimbabwe, however, has enacted laws and captured institutions which allows for their selective application, frequently against the ruling ZANU-PF's perceived opponents in and out of government. If confirmed,

I will use my voice and office to urge government accountability and respect for human rights. I will urge the election commission to accelerate voter registration, remediate the delimitation report, and publish the voter roll free of charge. I will encourage greater U.S. support for organizations and initiatives that aim to expand respect for democratic principles, including an independent press and the right to freedom of peaceful assembly. I will actively work to support the democratic aspirations of those advocating for Zimbabweans' constitutional rights and the transparency of electoral processes, and I will seek partnership with all those in Zimbabwe who are doing the same. These hopes and plans come with associated risks—particularly for Zimbabwean activists—from a government eager to close political and civic space. In addition, Zimbabwe's autocratic allies will impede these efforts and amplify anti-sanctions and anti-democratic propaganda.

Question. How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will utilize all tools at the Embassy's disposal to support democracy and governance initiatives in the lead-up to, and following, the 2023 elections in Zimbabwe. I will encourage colleagues throughout the Embassy to think creatively and to identify and promote organizations engaged in innovative programming to give voice and agency to the Zimbabwean people. I will seek to increase public diplomacy exchanges and bolster NGO efforts with U.S. programming assistance through any available and legal funding authorities.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Zimbabwe? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, if confirmed, I commit to meet with civil society members, human rights defenders, and non-governmental organizations in the U.S. and with local human rights NGOs and other members of civil society in Zimbabwe. I am committed to working with Mission Harare colleagues and NGOs to identify, assess, and manage risks posed to NGOs and civil society organizations by legal and regulatory measures. I will direct the U.S. Embassy to engage directly with potentially affected organizations to identify creative solutions to ensure their operations continue uninterrupted. I will also meet with political parties across the spectrum to underscore U.S. commitments to human rights, democratic principles, and non-violence. And I will urge the Zimbabwean Government, bilaterally and with likeminded partners, to uphold Zimbabwe's constitution and the fundamental freedoms enshrined in it.

Question. If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, if confirmed, I commit to meet with democratically oriented political figures and parties, and I will advocate for access and inclusivity for women, members of minority groups, and youth within political parties. I will encourage political actors to engage in political competition and consensus-building efforts. I will promote USAID's ongoing democracy programming, which strengthens civil society and other advocacy groups to have equal access to compete and advocate for good governance, protects human rights defenders, and promotes democratic principles including political competition. I will also ensure programming promotes inclusion, protection, and empowerment of women, minorities, LGBTQI+, and youth as active contributors to the Zimbabwean society.

Question. Will you and your Embassy team actively engage with Zimbabwe on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Zimbabwe?

Answer. Yes and yes.

Question. Will you and your Embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes.

Question. Will you and your Embassy teams actively engage with Zimbabwe on the right of labor groups to organize, including for independent trade unions?

Answer. Yes.

Question. Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Zimbabwe, no matter their sexual orientation or gender identity?

Answer. Yes.

Question. What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Zimbabwe?

Answer. Zimbabwe's strict anti-LGBTQI+ laws continue to create a hostile environment that disrespects the human rights of members of the LGBTQI+ community and restricts their ability to engage in political activism or collective action. Same-sex marriage is illegal, and members of the LGBTQI+ community are not provided with legal protections from discrimination, violence, or targeted harassment. The lack of state protection increases the likelihood of community-led violence against members of the LGBTQI+ community.

Question. What specifically will you commit to do to help LGBTQ people in Zimbabwe?

Answer. If confirmed, I commit to be an advocate for LGBTQI+ persons in Zimbabwe and identify opportunities for the U.S. Mission to support and promote their rights. I look forward to celebrating their diversity and humanity in the safety of USG sponsored events, including them in exchange programs that will build their capacity for advocacy, and urging the Government to decriminalize homosexuality, as some of Zimbabwe's regional neighbors have done.

Question. Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff each time you are in Washington for visits or consultations during your tenure as Ambassador to Zimbabwe?

Answer. Yes. I will keep the relevant Congressional committees apprised, as appropriate, in coordination with the Bureau of Legislative Affairs.

Question. How do you anticipate fostering diversity, equity, inclusion, and accessibility at Embassy Harare?

Answer. Diversity and inclusion are priorities for the Secretary of State and the Department. As a Deputy Chief of Mission (DCM), I worked actively to recruit, hire, and mentor a diverse group of people, both U.S. Direct Hire employees and Locally Engaged Staff. At all three posts where I was DCM, I ensured there was greater diversity in the staff more broadly, but also at the country team level. I am proud to have led efforts to include gender and diversity goals as a component of the Integrated Country Strategies in Kyiv and Stockholm. In Nicosia and Stockholm, I led efforts to hire more diverse local staff and recruit from the Turkish-speaking Cypriot community and the Sami community respectively. As a mid-level officer, I served as our post Equal Employment Opportunity officer and offered anti-sexual harassment training to over 400 employees in two languages. I consider it a duty and a privilege to recruit and mentor a broad range of officers. I look forward to mentoring all officers and local staff in Harare to give everyone opportunities for professional development and advancement. I would also continue to encourage every employee to report all discrimination, harassment, or toxic behavior to the EEO Counselors, DCM or, failing that, directly to me. I would also encourage employees to use the DEIA tools offered by the Department.

Question. What specifically will you do to prioritize and promote diversity, equity, inclusion, and accessibility, while also combating racism, discrimination, and inequality among locally employed staff in Zimbabwe?

Answer. As called for in the Department's precepts, I will cultivate an environment that values diversity and respect for EEO and merit principles. I will model those behaviors and insist that all those under my direction hold themselves to the highest standard in accordance with Department regulations and the law. I have found that cultural shifts, including towards greater tolerance and diversity, require repetition of these values, and I would seek to incorporate those themes in my engagements with team members.

Question. In addition to focusing on diversity, equity, inclusion, and accessibility in our workforce, will you commit to engaging more equitably in operations and programming, particularly with potential partners and communities that traditionally have been marginalized, excluded, or underrepresented in ours and others' donor and partnership efforts? How do you anticipate utilizing local expertise, knowledge, and capacity to meet our foreign policy goals?

Answer. Yes, if confirmed, I commit to engaging equitably in operations and programming, particularly with potential partners and communities that traditionally have been marginalized, excluded, or underrepresented in ours and others' donor and partnership efforts. Like I have in all my previous posts, I will leverage the expertise, knowledge, and guidance of our Locally Employed Staff to help navigate my understanding of dynamics and trends in Zimbabwe.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO PAMELA M. TREMONT BY SENATOR JAMES E. RISCH

Question. As you are aware, the U.S. relationship with Zimbabwe is guided and constrained by conditions set forth in the Zimbabwe Democracy and Economic Recovery Act (ZDERA). What is your understanding of how the U.S. can engage with Zimbabwe under ZDERA given that conditions for a stronger U.S./Zimbabwe bilateral relationship have not been met?

Answer. I understand that ZDERA guides the U.S. bilateral relationship with Zimbabwe. U.S. diplomats regularly cite ZDERA criteria—including restoration of the rule of law; free and fair elections as determined by independent international monitors; commitment to equitable, legal, and transparent land reform; and subordination of the military and police to civilian government—when engaging with Government of Zimbabwe interlocutors on the topic of improving bilateral relations. Given the Government of Zimbabwe's failure to make meaningful improvements on these criteria, the U.S. maintains its ceiling on bilateral engagement and limits its support for Zimbabwe, including through International Financial Institutions. I look forward to having frank conversations with the Government regarding the criteria for improved relations.

Question. Do you commit to respecting ZDERA in your relationship with the Government of Zimbabwe as U.S. Ambassador, if confirmed?

Answer. Yes.

Question. As U.S. Ambassador, if confirmed, how will you counter anti-sanctions rhetoric from the Government of Zimbabwe and other actors?

Answer. If confirmed, I will engage publicly and privately with interlocutors about U.S. sanctions to dispel myths and set the record straight for the people of Zimbabwe. As Ambassador, I will use my voice and office to reinforce the message that U.S. sanctions are targeted against human rights abusers and corrupt individuals and entities to prevent them from utilizing U.S. banks and institutions for their ill-gotten gains. We will highlight updates to our sanctions list, including the removal of individuals and entities from the list so that the public can see the sanctions can be and are lifted when malign activity ceases. I would also highlight corruption and failed economic policies as the root causes of Zimbabwe's economic problems.

Question. We are already seeing Zimbabwe's leadership take the country down a dark, and unfortunately familiar road ahead of elections expected this summer. As U.S. Ambassador, if confirmed, what do you see your role being ahead of and following elections in pushing for accountability, respect for human rights, and long-term democratic reforms in Zimbabwe?

Answer. Zimbabwe's 2013 constitution guarantees human rights and fundamental freedoms to all, including the rights to freedom of expression, association, and peaceful assembly. The Government of Zimbabwe, however, has enacted laws and captured institutions which allows for their selective application, frequently against the ruling ZANU-PF's perceived opponents in and out of government. If confirmed, I will use my voice and office to urge government accountability and respect for human rights. I will actively work to support the democratic aspirations of those advocating for Zimbabweans' constitutional rights and transparency of electoral processes, and I will seek partnership with all those in Zimbabwe and the region who are doing the same.

Question. Do you think it is possible to Zimbabwe to conduct a credible and democratic electoral process this year? Why?

Answer. While it is theoretically possible for the Government to hold free and fair elections in 2023, based on several worrying trends it is unlikely. The Government of Zimbabwe has tilted the playing field in the ruling ZANU-PF's favor using violence, intimidation, coercion, patronage, and lawfare tactics. If confirmed, I intend

to work tirelessly to defend every Zimbabweans' right to express their will peacefully.

Question. How do you intend to ensure that U.S. foreign assistance to Zimbabwe, including humanitarian assistance, is not used as a tool by the Government of Zimbabwe to buy votes or intimidate voters ahead of elections this year?

Answer. If confirmed, I will direct my staff to ensure all U.S. assistance, program activities, and recipient organizations are properly vetted to ensure that no U.S. resources are used by, or directly benefit, the Government of Zimbabwe to buy votes or intimidate voters ahead of elections. All U.S. programming to Zimbabwe undergoes thorough vetting and monitoring. I am committed to ensuring that our assistance is directed at the people of Zimbabwe, not the Government.

Question. As U.S. Ambassador, if confirmed, how will you engage in public diplomacy efforts to continue messaging of U.S. support to the Zimbabwean people, demonstrated largely through the U.S.' significant contribution of humanitarian and development assistance to Zimbabwe?

Answer. If confirmed, I will work with Country Team members to ensure that officers highlight U.S. humanitarian and development assistance contributions while on site visits and travel outside of Harare. The U.S. Mission's communications strategy engages print, radio, and social media to reach a diverse audience. Targeted messaging will continue to highlight the U.S. contribution to development and health outcomes in Zimbabwe. This targeted messaging is both time-responsive and authentic to U.S. policy and values.

Question. As U.S. Ambassador, if confirmed, what will your approach be to supporting the USAID Mission, USAID staff, and USAID implementing partners across sectors, to conduct their work in support of the Zimbabwean people, particularly as conditions for such work may deteriorate in the lead-up and aftermath of Zimbabwe's elections later this year.

Answer. If confirmed, I will begin my tenure with outreach, acknowledgement, and support for the work of my USAID colleagues and implementing partners. Civil society actors in Zimbabwe have borne the brunt of harassment and scrutiny in recent years and face the prospect of increased government interference with pending legislation. I will support the USAID Mission in their efforts to serve at-risk groups and communities. In addition, I remain committed to actively working to support the democratic aspirations of those advocating for Zimbabweans' constitutional rights and the transparency of electoral processes, and I will seek partnership with all those in Zimbabwe who are doing the same.

Question. As U.S. Ambassador, if confirmed, how will you ensure that the Embassy, USAID and other U.S. efforts related to Zimbabwe's upcoming elections, including those funded by the National Endowment for Democracy, are in sync and contributing to a unified effort from the United States?

Answer. If confirmed, I will work to align all U.S. election-related programming and outreach and to coordinate with like-minded partners. To execute this effort, I will ensure Front Office participation at Elections Working Group meetings. Regular updates from the Working Group, particularly around challenges faced by program implementers, will inform Embassy diplomatic engagement with the Government of Zimbabwe. As the elections near, we will integrate lessons learned from implementers in the Working Group and coordinate the Embassy's election observation mission with implementers and like-minded partners.

Question. Do you commit to keeping Congress apprised of harassment experienced by U.S. citizens, and U.S. organizations and implementing partners in Zimbabwe by Zimbabwean officials, political parties, security services or other entities ahead of and following elections expected later this year?

Answer. Yes. I will keep the relevant Congressional Committees apprised, as appropriate, in coordination with the Bureau of Legislative Affairs.

Question. In the State Department's 2022 Trafficking in Persons Report, Zimbabwe remained on the Tier 2 Watch List for the second consecutive year for not fully meeting the minimum standards for the elimination of trafficking but is making significant efforts to do so. If confirmed, what concrete steps could you take to help Zimbabwe operationalize the prioritized recommendations contained in the TIP report?

Answer. If confirmed, I will vigorously engage the Government of Zimbabwe to make significant efforts to meet the Minimum Standards for the Elimination of Trafficking and encourage partnership with civil society to address this crime. In

particular, I will offer the Embassy's guidance and regularly highlight the recommendations of the 2022 TIP Report, including formally launching and implementing the 2022–2026 National Plan of Action to Combat Trafficking in Persons with dedicated resources, amending Zimbabwe's anti-trafficking law to criminalize all forms of trafficking in persons, and expediting the prosecution of trafficking to address significant court backlogs. I commit to coordinating closely with the Office to Monitor and Combat Trafficking in Persons and report accurate information on human trafficking for the annual TIP Report.

Question. In the State Department's 2022 International Religious Freedom report indicated that Zimbabwe had curtailed some freedom of religion and assembly. What is your assessment of this religious freedom in Zimbabwe and if confirmed, how will you work with the Ambassador-at-Large for International Religious Freedom to bolster religious freedom in-country?

Answer. Zimbabwe's constitution prohibits discrimination based on religious belief and provides for freedom of religion, including the freedom to practice, propagate, and give expression to one's religion, in public or in private, alone or with others. Embassy Harare enjoys strong partnerships with key Christian, Jewish, and Muslim organizations and leaders. If confirmed, I commit to working closely with the Ambassador-at-Large for International Religious Freedom to engage faith communities and the Government of Zimbabwe on issues of religious freedom, religious tolerance, and the role of faith communities in supporting political reconciliation and national healing.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes.

Question. If confirmed, what concrete steps can you take to help Zimbabwe increase their societal and governmental respect for religious freedom?

Answer. If confirmed, I will publicly and privately engage with actors of all faiths, including the Zimbabwe Heads of Christian Denominations and the Zimbabwe Interreligious Council, which is now an official body that seeks to promote peace, reconciliation, good governance, and holistic human development through interfaith action and collaboration. I will seek to support effective interfaith work underway in Zimbabwe and amplify the voices of faith leaders calling for tolerance, religious freedom, human rights, and social cohesion. I intend to build on the work of the Embassy team who have engaged and partnered with diverse religious leaders working to end child marriage and gender-based violence, who have modeled and promoted vaccination in the face of Covid-19 and measles outbreaks, and who have promoted constitutionalism and democratic engagement among their communities.

Question. The State Department's 2021 Human Rights Report indicated that Zimbabwe continues to have significant human rights abuses including unlawful or arbitrary detention by security forces, political prisoners, restrictions on freedom of movement and widespread corruption and impunity. How will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground?

Answer. If confirmed, I will encourage Embassy sections to seek out additional programmatic assistance from Washington offices to bolster the respect for human rights, and for independent media and other civil society groups to engage in monitoring, reporting, training, human rights support, and advocacy. My team and I will meet regularly with human rights defenders and civil society organizations to understand the latest trends. Where available, I will support efforts to continue U.S. programming for human rights advocacy and legal support, particularly as civic and political space continues to close.

Question. If confirmed, how will you direct your Embassy to work with the Government to improve the human rights situation on the ground?

Answer. If confirmed, I will direct the Embassy to engage key interlocutors in the Government of Zimbabwe in urging respect for human rights, and I will raise our concerns in my bilateral meetings, reminding them that the protection of human rights around the world is central to U.S. foreign policy. I will direct the Embassy team to identify and seek ways to engage with government actors who may be more supportive of reforms and oriented toward inclusive development and for ways to hold those responsible for human rights violations and abuses accountable. I will also encourage Washington offices to publicly call out instances of human rights abuses,

Question. Many U.S. Missions have been under enormous stress over the last several years, in large part due to COVID. What is your understanding of morale throughout Mission Harare?

Answer. I understand that Mission Harare enjoys broadly positive morale, where staff members understand their roles and contributions, see the effects of their work, and feel appreciated. This is a testament to a dedicated team and the strong and collaborative leadership exhibited by the current Chargé d’Affaires and her predecessors. I am a strong believer in high morale as a force multiplier, and, if confirmed, I look forward to doing what I can to boost morale in Harare.

Question. How do you intend to improve morale at Mission Harare?

Answer. If confirmed, I intend to build on Mission Harare’s existing systems and successes. I will show through my words and actions that every employee—regardless of nationality, role, or employment mechanism—is valued and vital to our Mission’s success. I manage through discussion, engagement, and visiting my teams’ spaces. I intend to set a clear vision for the Mission, and to empower our teams to help define our collective strategies and objectives to ensure awareness, buy-in, and ownership. I also intend to understand the Mission’s performance on meeting internal support service standards and press for improvements to support our staff and families. Finally, I plan to ensure all employees have access to mentoring and professional development and will continue the practice of using personal resources to host employees at my residence to celebrate special events and build comradery.

Question. How do you intend to create a unified mission and vision at Mission Harare?

Answer. If confirmed, I will lay out to Mission Harare a vision that emphasizes the opportunity and the vital role of each Mission element and staff-member. I will apply the Integrated Country Strategy (ICS) produced collaboratively by the Mission and engage each Section and Agency to emphasize our shared objectives. In so doing, I will listen to and learn about their existing and envisioned contributions to the ICS, and I will challenge them to share information proactively and seek synergies with other mission elements to advance shared objectives. I will challenge the Embassy team to develop action plans for sections and agencies to work complementarily toward achieving ambitious-yet-achievable tangible results.

Question. How do you intend to improve morale at Mission Harare?

Answer. If confirmed, I intend to build on Mission Harare’s existing systems and successes. I will show through my words and actions that every employee—regardless of nationality, role, or employment mechanism—is valued and vital to our Mission’s success. I manage through discussion, engagement, and visiting my teams’ spaces. I intend to set a clear vision for the Mission, and to empower our teams to help define our collective strategies and objectives to ensure awareness, buy-in, and ownership. I also intend to understand the Mission’s performance on meeting internal support service standards and press for improvements where they are missed to support our staff and families. Finally, I plan to ensure all employees have access to mentoring and professional development and will continue the practice of using personal resources to host employees at my residence to celebrate special events and build comradery.

Question. Management is a key responsibility for Chiefs of Mission. How would you describe your management style?

Answer. Over the course of my career, I have relied heavily on the components of consultative and servant leadership, and I believe this approach to be the most beneficial in delivering a positive work environment and tangible achievements for the Mission team, for USG policy priorities, and for the American people. I believe leaders carry the mantle of outlining a vision, based on consultation, and in the creation of a management environment that values and rewards innovation, bold thinking, and achievement. I believe strongly that accessibility, approachability, and active listening are the key components of success. I also believe in rigorous management of U.S. Government resources and fair application of rules and regulations.

Question. Do you believe it is ever acceptable or constructive to berate subordinates, either in public or in private?

Answer. No.

Question. How do you envision your relationship with the Deputy Chief of Mission?

Answer. Leadership is a true team effort, and the relationship between a Chief of Mission and Deputy Chief of Mission depends heavily on trust, open communica-

tion, and a shared approach and vision. As a three-time DCM, I know that collaborative and consultative leadership requires the DCM to speak openly and honestly on issues facing the Mission, both in policy and operational terms. I will invest my support and trust to my DCM and ensure that our Mission team understands we speak with one voice on issues facing the community and our policy priorities. Essential for the success of that approach is a professional relationship where honest and open dialogue forms the foundation.

Question. If confirmed, what leadership responsibilities do you intend to entrust to your Deputy Chief of Mission?

Answer. Though the ultimate responsibility for defining leadership rests on the shoulders of the Chief of Mission, sharing of responsibilities is vital as we look to develop the next generation of Foreign Service Officers. I intend to partner fully with my DCM to define and deliver the type of collaborative leadership that creates a professional environment most conducive to professional growth and achievement. Leadership at its core is a team sport, and effective communication is vital. I plan to entrust to her entirely the role of Chief Operating Officer.

Question. In order to create and continue employee excellence at the Department, accurate and direct employee evaluation reports (EERs) for Foreign Service Officers are imperative, though often lacking. Do you believe that it is important to provide employees with accurate, constructive feedback on their performance in order to encourage improvement and reward those who most succeed in their roles?

Answer. I believe constructive feedback is critical to achieve our common Mission goals and to shape and prepare the next generation of Foreign Service professionals to lead and succeed. Over my years of service, I have used constructive and clear feedback and discussion with employees at all levels to improve performance, establish new targets for achievement, and create opportunity. A vital component of constructive feedback is also the ability to identify, cite, and recognize achievement through awards, promotions, and recognition.

Question. If confirmed, would you support and encourage clear, accurate, and direct feedback to employees in order to improve performance and reward high achievers?

Answer. If confirmed, I commit fully to supporting and encouraging clear, accurate and direct feedback. I have found this to be a critical skill as I have assumed roles of greater responsibility throughout my nearly 31-year career with the State Department.

Question. It is imperative that U.S. diplomats get outside of posts abroad to meet with local actors, including host government officials, non-government organizations, and local citizens. In your experience, do U.S. diplomats get outside of our Embassy walls enough to fully accomplish their missions?

Answer. I believe that the key imperative for our diplomats posted overseas is to get to know the country of assignment as thoroughly as possible, and that cannot be done adequately by remaining in the office. Engagement, relationship-building, and understanding is only possible through personal contact and experience. Diplomacy is a full-contact sport. If confirmed, I will make this approach a priority for myself and my team, because when we know and understand our environment, we can most faithfully execute on our goals.

Question. How do you intend to improve the ability of U.S. diplomats to better access all local populations?

Answer. If confirmed, I will work closely with the Regional Security Officer and team at Post to ensure that the staff at Embassy Harare have the means and resources to safely travel and access all local populations to further U.S. priorities. I will always seek to balance the importance of person-to-person engagements with the safety of my staff.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO PAMELA M. TREMONT BY SENATOR MARCO RUBIO

Question. In May, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." The Chinese Communist Party (CCP) clearly holds all the reins of power in the People's Republic of China and has used this power to commit genocide in Xinjiang, flood

our communities with fentanyl, and emit by far the largest quantity of greenhouse gases. As we speak, the Party is cracking down on unprecedented student protests across the country. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

Answer. Yes, the activities of the People's Republic of China (PRC) and Chinese Communist Party (CCP) represent a significant challenge to U.S. economic, political, and security interests globally and in the Africa region. Under President Xi, the PRC has become more repressive at home and more assertive abroad. We will defend and strengthen U.S. national security, prosperity, and values; defend international law and agreements and the other principles and institutions that maintain peace and security; and protect the rights of individuals and sovereign nations.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. We are committed to working with Beijing only if it secures American jobs, American values, and our way of life for future generations. Issues like climate change, the global drug trade, and COVID-19 are the very issues that directly threaten our prosperity and security. PRC contributions should be scrutinized, however, to ensure they are not a springboard for narrow PRC economic interests.

If confirmed, I will also work with the Department of State's new Office of China Coordination to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the Zimbabwe context. This new office, inaugurated immediately following the U.S.-Africa Leaders Summit, brings together a group of China experts from throughout the Department and beyond to work more effectively with colleagues from every regional bureau and experts in international security, economics, technology, multilateral diplomacy, and strategic communications. In addition, I will direct the members of post's PRC working group to work closely with the Regional China Officer based in Abidjan.

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. The United States will engage constructively with the PRC when it is in our interest to do so in Zimbabwe. For example, issues like food security, global health, climate change, the global drug trade, and COVID-19 are the very issues that directly threaten our prosperity and security, and that of Zimbabwe. If confirmed, on climate change issues, I will be a staunch advocate for U.S. companies over PRC firms as the Government seeks renewable energy solutions to ameliorate the impact of climate change in Zimbabwe.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People's Republic of China in the countries, or organizations in which you will work?

Answer. If confirmed, I will consult Department guidance on engagement with PRC organizations or representatives to work together when it is in U.S. interests to do so.

Question. Over the last several decades, diplomatic relations between the U.S. and Zimbabwe have been strained due to serious concerns over patterns of undemocratic governance, political repression, human rights violations, and corruption by Zimbabwe's dominant political party, ZANU-PF. The U.S. has imposed targeted sanctions against Zimbabwean officials for continued politically motivated violence, public corruption, and breakdown of the rule of law. The next Ambassador will be tasked to confront the longstanding challenge of engaging with an authoritarian government that has not reformed, despite international and domestic pressure, and relations with the U.S. and Western governments do not appear unlikely to improve over the horizon. Given the challenging relationship with Zimbabwe, what would be your top policy goal with Zimbabwe, if confirmed?

Answer. If confirmed, my top policy goals in Zimbabwe will align with the Embassy's Integrated Country Strategy, which calls for promoting improved accountable, democratic governance that serves an engaged citizenry and respects fundamental human rights; a market-oriented economy that provides broad-based economic growth and an opportunity for all Zimbabweans to prosper; and improved health and well-being of Zimbabwean citizens.

Question. How would you counter claims by the CCP that U.S. sanctions unfairly target the Zimbabwean people?

Answer. If confirmed, I will engage publicly and privately with interlocutors about U.S. sanctions to dispel myths and set the record straight for the people of

Zimbabwe. As Ambassador, I will use my voice and office to reinforce the message that U.S. sanctions are targeted against human rights abusers and corrupt individuals and entities to prevent them from utilizing U.S. banks and institutions for their ill-gotten gains. I will highlight updates to our sanctions list, including the removal of individuals and entities from the list so that the public can see the sanctions can and are lifted when malign activity ceases. I would also highlight corruption and failed economic policies as the root causes of Zimbabwe's economic problems.

Question. The CCP recently gifted Zimbabwe a parliament building and exported advanced surveillance equipment to the country. How will you counter the CCP's influence in Zimbabwe, if confirmed?

Answer. If confirmed, I will draw on the long history of U.S. support for the people of Zimbabwe. Since 1980, the United States has provided more than \$4.5 billion in assistance to Zimbabwe, with the bulk of it directed to life-saving health and food support, as well as education and defense of democracy. In the last 20 years, U.S. assistance has helped extend the life expectancy of Zimbabweans by 17 years, from 44 years to 61 years, and I believe the Zimbabwean people recognize that PRC influence in Zimbabwe does not benefit them. I hope to travel frequently and meet as many Zimbabweans as possible to model our values and provide contrast to those of Beijing, and I will amplify the steadfast support the United States has provided to the people of Zimbabwe.

I will draw from experiences in countering the PRC's influence in previous assignments. For example, as Deputy Chief of Mission and Chargé in Stockholm, my team worked closely with the Swedish Government to develop investment screening legislation based on the Committee on Foreign Investment in the United States. Our work highlighting the PRC's human rights abuses contributed to Swedes having the strongest disapproval rates of the PRC of any country in the world, except for Japan, according to a Pew poll. As Deputy Chief of Mission in Kyiv, our Mission worked with Washington and the private sector to discourage the sale of a Ukrainian defense parastatal to a PRC company. If confirmed, I will likewise highlight the risks associated with PRC influence and investment in Zimbabwe.

Question. What steps will you take to identify projects with Zimbabwean officials and the Development Finance Corporation regarding opportunities for U.S. companies to compete with CCP funded projects?

Answer. It is my understanding that since 2021, the Development Finance Corporation agreed to not conduct programming in Zimbabwe directly with the Government of Zimbabwe or in a way that will indirectly benefit the regime. If confirmed, I look forward to exploring opportunities for U.S. companies to invest in Zimbabwe in ways that do not benefit the Government of Zimbabwe or the regime and remain consistent with U.S. sanctions.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO PAMELA M. TREMONT BY SENATOR BILL HAGERTY

Combating Anti-Israel bias in the African Union and Other International Forums

As you know, on February 18, 2023, an Israeli diplomat who was an accredited observer with an entry tag was expelled from the opening ceremony of the African Union summit. In the following days, the African Union Commission Chief stated that Israel's observer status that the bloc has been suspended. These actions are part of a larger effort to delegitimize Israel by states driven by hatred. Just as biased targeting of Israel at the United Nations is a grave concern, anti-Israel actions and rhetoric in other international forums also cannot be ignored. Indeed, what happened to Israel at the AU Summit is reprehensible and unacceptable.

Question. If confirmed, what would you do to address this problem?

Answer. AU Commission Chairperson Moussa Faki Mahamat accepted credentials of the Israeli Ambassador in 2021. However, this decision was challenged by some AU member states, as permitted by the AU Constitutive Act. The AU then established a Heads of State Committee to consult on the accreditation issue with plans to report back at the 2023 AU Summit. Faki's acceptance of Israel and its observer status are on hold pending his receipt of the committee's recommendation.

According to the AU, AU Chairperson Faki's staff convened the Israeli delegation in advance of the AU Summit to ask that the delegation not attend the event, because the committee had not yet made a final decision. Israeli Deputy Director Gen-

eral (DDG) of the Africa Division of the Israeli Ministry of Foreign Affairs (MFA,) Sharon Bar-li, decided to attend the AU Assembly opening ceremony on February 18 and was subsequently escorted out by AU security.

A/S Phee raised the issue with both Chairperson Faki and Bar-li at the AU Summit in Addis. We are working with Israel and the AU to determine the best way to continue advancing Israel's relationship with the AU after this setback.

Question. What would you do to engage with foreign governments and ensure that Israel is not unfairly targeted, but rather included in future African Union summits and other regional and international forums?

Answer. If confirmed, I plan to advocate for the important role Israel plays on the continent with Zimbabwean counterparts and work closely with the U.S. Mission to the African Union to continue advancing Israel's relationship with the AU. By harnessing our strong relationships with member states across Africa, we can and should elevate Israel as an important partner to the African Union.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. RICHARD MILLS, JR. BY SENATOR ROBERT MENENDEZ

In your confirmation hearing you congratulated "president-elect" Bola Tinubu; however preliminary statements from elections missions including Yiaga Africa, the Joint National Democratic Institute/International Republican Institute Joint International Observer Mission, and the European Union Election Observation Mission pointed to serious irregularities and shortcomings in the administration of elections.

Question. How would you assess the overall performance of the Independent National Electoral Commissions administration of elections?

Answer. Nigeria's Independent National Electoral Commission (INEC) undertook extensive preparations in advance of Nigeria's February 25 elections, which included updating and expanding the roll of registered voters and organizing elections at 176,846 polling units across Nigeria. It did so amid significant insecurity and nation-wide shortages of naira currency and fuel. Voting generally took place in an orderly manner and although a Parallel Vote Tabulation (PVT) showed inconsistencies in two states, nation-wide results of the PVT closely tracked nation-wide official results—as did the state-level results in all 35 of the other 37 states. However, INEC experienced significant challenges during the electoral process and struggled to meet citizens' expectations on Election Day. These included significant logistics issues—exacerbated by naira currency and fuel shortages—and technical shortcomings of a results viewing platform which served as a secondary means for transmitting results; the official results of Nigerian elections are still transmitted on paper. The United States has joined other observers in urging the electoral commission to increase transparency and improve in the areas needing most attention ahead of Nigeria's March 11 state elections. The United States has also urged restraint on the part of political parties and their supporters in reacting to the results and for the parties to rely on the courts to settle any disputes about the outcome of the election. The Mission anticipates that political parties will take their grievances to the Court of Appeal—the relevant legal forum for challenges in presidential elections—in the coming days. Bola Tinubu, who received a certificate of return from Nigeria's Independent National Electoral Commission (INEC) declaring him the president-elect, endorsed his competitors' recourse to the legal process regarding challenges.

Question. Are the preliminary findings of various election observation missions credible?

Answer. The United States finds the preliminary findings of international and Nigerian election observers to be credible and generally consistent with U.S. observations of the February 25 election. Observers noted that voting generally occurred in an orderly manner and without interference by security forces. Common Election Day challenges identified by observers included reports of widespread delayed poll openings, long lines, and overcrowding, which in some cases impeded the secrecy of the ballot, and delays in the uploading of scanned tally sheets into a public results viewing portal. Various observer groups noted that naira currency and fuel shortages contributed to logistics challenges. Some observers noted challenges in the lead up to the elections, including with voter registration and voter card distribution, and a broader environment marked by insecurity, disinformation, and allegations of vote buying. We noted with concern reports that numerous members of the media were attacked during the course of the election, and we urged the Government, security

forces, political actors, and all citizens to respect the media's critical role by refraining from any damaging acts against them and ensuring accountability for such acts when they do occur.? Apart from the technologies newly used in nation-wide elections, the challenges identified by observers were largely consistent with challenges observed during previous Nigerian election cycles.

Question. What information do you have that the irregularities reported by observers did not affect the elections outcome?

Answer. The results of a Parallel Vote Tabulation (PVT) conducted by Yiaga Africa, a civil society organization which deployed 3,014 citizen observers to randomly selected polling units across all 36 of Nigeria's states and the Federal Capital Territory, found inconsistencies in two of Nigeria's states. While these inconsistencies are of concern, they were not sufficient to affect overall nation-wide results. Nation-wide official presidential results closely tracked the results of this PVT, as they showed that Bola Tinubu won 36.6 percent of nation-wide votes, while Atiku Abubakar received 29.1 percent, and Peter Obi received 25.4 percent. Yiaga Africa's PVT similarly showed that Tinubu would receive between 33.4 percent and 37.4 percent of the vote; that Atiku would receive between 28.3 percent and 31.1 percent of the vote; and Obi would receive between 24.2 percent and 28.4 percent of the vote.

By all indications, Nigeria's elections were highly competitive. Each of the top three presidential candidates was the leading vote-getter in twelve states, a remarkable first in Nigeria's modern political era, reflecting the diversity of views that characterized the campaign and the wishes of Nigeria's voters. Opposition presidential candidates collectively won 64% of the vote and also won the vote in twelve states where the ruling party holds the governorship. In the National Assembly elections conducted simultaneously, even with many results still being tabulated, opposition parties that had previously had little or no representation have already won numerous seats.

Insecurity impacts Nigerians living in various part of the country. While banditry, political violence and terrorism are persistent and growing problems for Nigerians in more than one region, perhaps most well-known are continuing threats from Boko Haram and ISIS West Africa Province in the northeastern region. Successive U.S. administrations have supported military sales of a variety of air platforms as one way to help Nigeria defeat Boko Haram, though it's unclear whether air power alone will defeat the organizations. And the human rights track record of the Nigerian military is questionable. In December, Reuters ran a series of articles that alleged numerous abuses by the military including a decade plus secret mass abortion program, in its war against Boko Haram.

Question. What are the major constraints to military effectiveness in northeastern Nigeria?

Answer. The security situation in Northeast Nigeria is highly complex, with a decade-long conflict against Boko Haram and ISIS-WA. The Nigerian military leadership understands the limits of military action generally and air power specifically to end permanently the root causes of the conflict. ISIS-WA and Boko Haram will only be permanently displaced by a combination of good governance, provision of services, and the rule of law. Military forces must provide the Nigerian Government the space to do that. The military itself faces capacity and human resource limits, particularly in terms of intelligence, targeting, holding territory, and civil military relations. U.S. programs address these issues through training and capacity building. We also support the holistic response, which both the Nigerian Government and the United States is required, through support from USAID to strengthen civil society institutions, not only in the Northeast but throughout the country.

Question. Upon what analysis is your answer based? Has the interagency discussed these constraints and is there consensus among the interagency as to these constraints?

Answer. Our Embassy in Nigeria has regular contact with the Nigerian military. All assistance includes monitoring, evaluation, and after-action reviews of the military's operations, all of which informs the U.S. Government assessment of the Nigerian military's effectiveness. We also rely on the vibrant Nigerian civil society and research community, as well as international organizations and think tanks for information and assessments on Nigerian military effectiveness. The interagency discusses these constraints frequently through both formal and informal mechanisms, through working groups in Embassy Abuja, and in various fora with like-minded partners. There is consensus that the response in Northeast Nigeria requires a holistic approach and that the military can only provide the secure space to allow for

improvements in governance, the provision of services, and respect for human rights and the rule of law.

Question. If confirmed, do you commit requesting a sense of the community related to the major constraints to military effectiveness in northeast Nigeria?

Answer. We rely on the community to continually inform our view of the military effectiveness in northeastern Nigeria and constraints to the military's capabilities. Mission Nigeria regularly conveys information to the community that it gathers through our many partners and engagements with civil society. If confirmed, I commit to continuing to use this information, requesting updates from the community as needed, and engaging new partners as available.

Question. Should the United States be contemplating arms sales to Nigeria given the current allegations?

Answer. For now, future arms sales should be considered in the light of the current allegations and the eventual results of Nigerian Human Rights Commission's investigation into the deeply concerning allegations in the Reuters articles.

Arms sales, however, are only one component, albeit an important one, of how we help the Nigerians improve their security forces, and human rights considerations are part of every arms transfer decision. All arms sales are made on a case-by-case basis, but U.S. Foreign Military Sales employ a complete package approach that includes training, maintenance, and—in the case of Nigeria—capacity building designed to improve the military's commitment to the rules of war, respect for human rights, and abilities to prevent civilian casualties. This capacity building has brought meaningful improvements. The Nigerian Air Force has taken several steps in recent years to reduce the potential for civilian harm as a result of air operations. It has done so by applying lessons learned, implementing new policies and doctrine, and undertaking new programs, equipment, and training. An "Air-to-Ground Integration" (AGI) program provides training and equipment to establish specialist teams linking air and ground units to improve tactics, techniques and procedures for close air support, improve target selection and identification, and mitigate civilian harm. It includes training on the Law of Armed Conflict and civilian harm mitigation. Also noteworthy is the recent arrival of a military justice advisor to be embedded within the Nigerian defense ministry, an outcome of the access, trust, and relationships built through ongoing U.S. training, equipment, and capacity building programs.

Question. If confirmed, what steps will you take to support accountability for human rights abuses by the Nigerian military?

Answer. I know that consistent engagement at the highest levels of the Nigerian Government is a vital tool to ensure accountability. Regarding the allegations made in the Reuters reports, U.S. officials in both Washington and Abuja have engaged at the highest levels of the Nigerian Government to encourage them to conduct a thorough, transparent investigation and hold accountable any who are responsible for human rights violations and abuses. The United States has also encouraged them to engage impartial international voices in their effort. This engagement has seen results as the Nigerian Government has committed to supporting the investigation by the Nigeria National Human Rights Commission. The Chief of Defense Staff publicly pledged to support the investigation and make any military personnel available that the Commission requests. If confirmed, I would continue to engage with the highest levels of the Nigerian Government while, at the same time, supporting my team's efforts to engage with local interlocutors in the northeast. If the National Human Rights Commission does find evidence substantiating these allegations, I would press the Nigerian Government to use its full authorities to ensure human rights violators face prosecution to the fullest extent of the law and would explore pursuing possible visa restrictions or financial sanctions against those committing gross violations of human rights.

According to Transparency International's 2022 Corruption Perceptions Index. The Index also found that 43% of respondents thought corruption had increased in the previous 12 months, and 44% of public service users who responded had paid a bribe.

Question. How much does corruption cost the Nigerian economy every year?

Answer. Corruption costs the Nigerian economy billions of dollars each year. Yiaga Africa released a report in 2021 stating that Nigeria has lost at least \$582 billion since the country's independence in 1960, due to endemic corruption. Lax regulatory oversight and ad hoc implementation of rules and regulations have created conditions for criminal actors to operate with impunity in many instances. Case in

point is the oil and gas sector where poor oversight has led to hundreds of thousands of barrels per day of oil lost to crude oil theft, decreasing the country's key source of foreign exchange. Corruption is a serious blight on the nation's development and one of the main impediments to lifting the majority of Nigerians out of poverty. The Nigerian economy also loses an untold sum due to the perception of corruption that keeps international investors from entering the Nigerian market.

Question. What programs and activities is the U.S. currently supporting to combat corruption?

Answer. U.S. interagency efforts support the return of millions of dollars stolen by corrupt Nigerian officials and ensure those funds are used for health, infrastructure, and other projects that benefit the Nigerian people. We work to strengthen civil society efforts to hold the Government accountable for public resources. The U.S. partners with select Nigerian states which have demonstrated political commitment to improve transparency and accountability in public financial management. And we are working to help address petty corruption by the police—the most common corruption Nigerians face in their daily lives.

Question. If confirmed, what steps will you take to help combat corruption in Nigeria?

Answer. If confirmed, I will place anti-corruption efforts at the heart of my conversations with Nigerian businesspeople, government officials, and civil society organizations. My experience as Ambassador to Armenia highlighted the resonance of the U.S. Government amplifying the voices of Armenians working to stop corruption, rather than allowing the issue to be viewed as a “demand” from outside the country itself. Additionally, I will direct Mission personnel to help advocate for an investment environment in Nigeria that is sound for U.S. businesses and corporations. Nigeria represents a huge potential market for U.S. investment, and it would be tragic to continue to lose ground in this space to adversaries such as China who are known to be apt to take advantage of economic and societal vulnerabilities in countries with weaker safeguards.

Nigeria is beginning a new oil and gas project for the first time in Northern Nigeria. The Nigerian Government has urged its energy sector and international oil companies to adopt voluntary principles on security and human rights within the sector.

Question. As a multi-stakeholder initiative aimed at protecting the human rights of those impacted by oil prospecting, how will the U.S. work to reinforce human rights within Nigeria's energy sector and avoid the environmental degradation we have seen in places like the Niger Delta?

Answer. Nigeria's Petroleum Industry Act (PIA) signed in 2021 heavily relied on USG technical assistance for its completion. If confirmed, I will direct my team to continue to engage with the new regulatory entities the PIA created, on various facets of its implementation. We will work with these entities together with other international partners to explore opportunities for technical and other forms of assistance to address environmental degradation and other ecological threats as well as protecting communities within the oil producing regions. I understand that scientists from the EPA also have previously worked with Nigeria's Federal Ministry of Environment and the National Oil Spill Detection and Response Agency (NOSDRA) to provide training on best practices on oil spill prevention, response, and remediation, and I would hope to continue those efforts.

Question. In your view, what non-military investments should the U.S. pursue to address insecurity and banditry in Nigeria. How will your Embassy utilize peacebuilding efforts to enhance safety and reduce violence in Nigeria?

Answer. The United States is bringing a full range of interagency tools to the security challenges in Nigeria to strengthen local governance and services and support community conflict mitigation, issues that are the underlying root causes of the insecurity in the country. We are working to improve law enforcement and access to justice, border control, counterterrorism efforts as well as anti-money laundering and combatting the funding of terrorists, aviation security and the collection of biometrics.

USAID will continue to train respected local leaders to better mediate conflicts and build peace, efforts that have already successfully reduced violent conflict in parts of Nigeria. USAID and other USG colleagues continue to engage with Nigerian interlocutors on opportunities for investment in areas severely affected by inse-

curity and banditry. These engagements have uncovered the need for support to boost literacy and education rates and enhance agriculture activity to secure the livelihoods of those living in the affected communities. The Nigerian Government has also touted ranching as a means of lessening potentially deadly confrontations between sedentary farmers and herders seeking food sources for their cattle. If confirmed, I will continue to use the full range of engagements with Nigerian Government counterparts, communities, civil society, and private citizens to identify areas where we can get the most out of USG investment.

Democracy & Human Rights

Question. What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Work in support of human rights and democracy building has been a significant part of my career. As the human rights officer at U.S. Consulate St. Petersburg on my second tour, I helped build relationships between U.S. human rights groups and Russian counterparts newly formed in the aftermath of communism's collapse, as well as monitored the effectiveness of U.S. financial and technical support to local human rights groups. At U.S. Embassy Baghdad, I served as the Bureau of Democracy, Human Rights, and Labor's (DRL) Senior Democracy Advisor, managing DRL's programs to build democratic infrastructure and institutions in Iraq, as well as directing DRL's support to the Iraqi national election in 2009.

My work leading U.S. Embassy Yerevan's efforts to counter corruption and strengthen civil society in Armenia had the most significant impact of my work thus far. Early in my tenure in Yerevan, the Embassy made bolstering Armenian voices and civil society groups campaigning against corruption a top priority. Drawing on the expertise of our Department of Justice office, as well as USAID and public affairs teams, the Embassy worked with local Armenian groups to create a list of needed anti-corruption legislation and reforms, developed a program of technical support for anti-corruption groups to amplify their messaging, and adopted an aggressive Embassy public messaging campaign to call out specific cases of corruption and identify corruption's cost in lost foreign investment. Within two years, Armenia's Velvet Revolution took place, largely driven by public outrage over corruption, which brought in a new government committed to rooting out corruption and strengthening democracy. Among the new government's first actions was to propose anti-corruption reforms that had been the centerpiece of civil society's requests. Many of the members of the new government were alumni and beneficiaries of the Embassy's anti-corruption and human rights programs. The Velvet Revolution was a "bottom up" result of the Armenian people's demand for change and democracy, but I do assess the efforts of Embassy Yerevan, over many years including my time there, played a significant part in marshalling the local leaders and ability to message to the public that allowed the Revolution to succeed.

Question. What issues are the most pressing challenges to democracy or democratic development in Nigeria? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Nigeria's democracy faces numerous challenges. Nigeria struggles to ensure the consistent application of the rule of law, which encourages impunity and creates openings for the rise of violent groups and criminal gangs to gain traction in many parts of Nigeria, threatening civilian populations. Security forces face allegations of human rights violations and abuses and those responsible are often not held to account in transparent and accessible proceedings. This lack of accountability for those responsible for human rights violations and abuses undercuts public trust in the Government. Weak rule of law also contributes to corruption, which undermines public trust in government institutions and public officials. Protectionist economic policies and a weak tax base stifle economic growth and impair the Government's ability to deliver essential services to citizens. Despite all of these and other challenges however, Nigeria's democracy also has many strengths, including a flourishing civil society and thriving independent media, and dynamism in some sectors of Nigeria's highly diversified economy.

Question. What steps will you take—if confirmed—to support democracy in Nigeria? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The U.S.-Nigeria partnership is built on advancing shared democratic values to our countries' mutual benefit. If confirmed, strengthening necessary demo-

cratic institutions in Africa's largest democracy through our diplomatic and programmatic engagements, including through U.S. support to strengthen Nigeria's electoral system, will be a priority for me. Weak rule of law, corruption, and protectionist economic policies are likely to continue to remain obstacles but a focus on institution building along with a range of diplomatic tools can advance Nigeria's democratic path.

Question. How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will utilize all available U.S. foreign assistance programs and tools to strengthen democracy and good governance in Nigeria. State Department and USAID resources are critical to achieving our policy goals and advancing our values in Nigeria. USAID works in close consultation with the Nigerian Government, civil society, local leaders, and citizens to prioritize its development goals for a peaceful and prosperous Nigeria. This multi-stakeholder approach fosters greater accountability and transparency in U.S. foreign assistance programs.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Nigeria? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I commit to meeting with civil society members, human rights and other non-governmental organizations in the United States, and with local human rights NGOs and other members of civil society in Nigeria. Nigeria has a robust civil society and I understand the Embassy conducts such engagements regularly. I plan to build on their good work. I will advocate for unimpeded operation by NGOs and civil society, who do much to promote good governance and respect for human rights in Nigeria. I will advocate on their behalf privately and publicly should it be deemed helpful.

Question. If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meet with democratically oriented political opposition figures and parties, not just in Abuja but across Nigeria. I will encourage political figures and parties to consider the equities of all Nigerians, represent the diversity of Nigeria's geographic, religious, and ethnic groups, and to run on platforms built on substance, not personality. As more political parties are elected to key offices in Nigeria's state and federal bodies, I commit to engaging with officials from all parties. I will advocate for access and inclusivity for women, people with disabilities, members of minority groups, and youth within political parties.

Question. Will you and your Embassy team actively engage with Nigeria on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Nigeria?

Answer. Nigeria has a vibrant and diverse press, and if confirmed, I commit to meeting and engaging regularly with independent, local press. A well-informed citizenry is required for a functioning democracy, so I support the continuation of current Embassy and Department programs to educate and train journalists, and the expansion of such programs where appropriate and where resources are available. If confirmed, I will actively engage with the Nigerian Government to promote a free, independent press and I will advocate against any measures designed to control or undermine press freedom.

Question. Will you and your Embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. I understand that Mission Nigeria works intensively and innovatively with civil society to educate editors, journalists, and the public on understanding, recognizing, and countering disinformation and propaganda. If confirmed, I will bring my own experience and learned lessons on countering state-sponsored disinformation in the U.N. system to help inform Mission Nigeria continuing activities. I would also engage government counterparts on these issues as appropriate.

Question. Will you and your Embassy teams actively engage with Nigeria on the right of labor groups to organize, including for independent trade unions?

Answer. Nigeria has a robust community of over 40 labor unions which actively organize to support the rights of their workers. I understand that Embassy staff engage the Nigerian Government on issues involving labor groups and their rights, and the Mission routinely engages with the top umbrella labor groups. If confirmed, I commit to engaging with Nigerian officials on the right of labor groups to organize.

Question. Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Nigeria, no matter their sexual orientation or gender identity?

Answer. The U.S. is a leader in promoting the human rights of members of all marginalized communities, including members of the LGBTQI+ community. If confirmed, I will use my position to promote respect for the human rights and dignity of all Nigerians, no matter their sexual orientation or gender identity.

Question. What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Nigeria?

Answer. The Same Sex Marriage Prohibition Act of 2015 criminalizes the LGBTQI+ community in Nigeria. On top of this, in the 12 states in northern Nigeria that adhere to sharia penal code, homosexuality is a crime with severe penalties. LGBTQI+ persons in Nigeria face harassment, threats, discrimination, and incidents of violence against them, many times from members of their own community, including close family. According to local NGOs, some 10 percent of abuses reported by LGBTQI+ persons in Nigeria involve state actors. Invasion of privacy, arbitrary arrest, and unlawful detention were the most common abuses perpetrated by state actors. Blackmail, extortion, assault, and battery were the most common abuses perpetrated by nonstate actors. LGBTQI+ persons also face stigma, discrimination, and barriers to accessing basic health care.

Question. What specifically will you commit to do to help LGBTQ people in Nigeria?

Answer. As Secretary Blinken has said, promoting and advancing respect for the human rights of LGBTQI+ persons is a foreign policy priority for this Administration. If confirmed, I will advocate for the human rights and dignity of all people in Nigeria, including LGBTQI+ persons. I commit to meet with LGBTQI+ civil society members, to seek their guidance on how the U.S. Embassy can best support them, and to use our voice and resources to promote their rights and wellbeing.

Congressional Consultations

Question. Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff each time you are in Washington for visits or consultations during your tenure as Ambassador to Nigeria?

Answer. If confirmed, I commit, in coordination with the State Department's Bureau of Legislative Affairs, to promptly accommodate requests for briefings and for information by members of Congress, as appropriate.

Diversity, Equity, Inclusion and Accessibility

Question. How do you anticipate fostering diversity, equity, inclusion, and accessibility at the U.S. Embassy and Consulate in Nigeria?

Answer. If confirmed, I will ensure that our Mission creates the spaces for discussion and information-sharing about DEIA, both within the Embassy and with external interlocutors. With input from across our Embassy community, I will ensure that representatives from historically marginalized groups are included in Embassy events and as appropriate, when U.S. Government delegations visit. I will also encourage our managers to participate in DEIA initiatives to help enhance their leadership skills around fostering an open and inclusive environment for both our U.S. direct hire and Locally Employed Staff.

Question. What specifically will you do to prioritize and promote diversity, equity, inclusion, and accessibility, while also combating racism, discrimination, and inequality among locally employed staff in Nigeria?

Answer. Nigeria is home to 371 ethnic groups and that ethnic diversity can be found among our Locally Employed Staff as well. Coming from various cultures and backgrounds, our Locally Employed Staff provide a wealth of knowledge and diversity of ideas that has sustained the excellent operations of our Mission in a tough security and economic environment. If confirmed, I will make sure that we recruit and hire from the broadest and most diverse pool of candidates, that I empower our

leaders across the mission to take reports of inequality and discrimination very seriously, and that our Locally Employed Staff are provided the environment in which they can be comfortable in raising these issues with their leaders, including me.

Question. In addition to focusing on diversity, equity, inclusion, and accessibility in our workforce, will you commit to engaging more equitably in operations and programming, particularly with potential partners and communities that traditionally have been marginalized, excluded, or underrepresented in ours and others' donor and partnership efforts? How do you anticipate utilizing local expertise, knowledge, and capacity to meet our foreign policy goals?

Answer. Our Mission is already doing excellent work in ensuring the State Department meets its DEIA goals in Nigeria. If confirmed, I will continue to build on that strong foundation by canvassing the perspectives of employees around the Mission to assess where we can improve on our DEIA commitments in our operations. Outside of the Mission, I will seek to learn from our Nigerian interlocutors about their needs and, with my team, assess how to best marry those needs with our policy goals to ensure the bilateral relationship goes from strength to strength.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. RICHARD MILLS, JR. BY SENATOR JAMES E. RISCH

Question. What is your assessment of Nigeria's ongoing electoral process so far?

Answer. On February 25, Nigeria held general elections for the presidency and National Assembly. Each of the top three presidential candidates was the leading vote-getter in twelve states, a remarkable first in Nigeria's modern political era, reflecting the diversity of views that characterized the campaign and the wishes of Nigeria's voters. Opposition candidates collectively won 64% of the national vote and won the vote in twelve states where the ruling party holds the governorship. The results of a Parallel Vote Tabulation (PVT) conducted by Yiaga Africa, a civil society organization which deployed 3,014 citizen observers to randomly selected polling units across all 36 of Nigeria's states and the Federal Capital Territory, found inconsistencies in two of Nigeria's states but found that the overall official results—as well as the state-level results in all 35 of the other states—closely tracked the results of their PVT. In the National Assembly elections conducted simultaneously, even with many results still unknown, opposition parties that had little or no representation have already won numerous seats.

International and Nigerian observers noted that voters experienced serious challenges during the electoral process. These included significant logistics issues—exacerbated by naira currency and fuel shortages—and technical shortcomings of a results viewing platform which was serving as a secondary means for transmitting results with the intention of increasing transparency; the official results of Nigerian elections are still transmitted on paper. The United States has joined other observers in urging the electoral commission to increase transparency and improve in the areas needing most attention ahead of Nigeria's March 11 state elections. The United States has also urged restraint on the part of political parties and their supporters in reacting to the results, and for the parties to rely on the courts to settle any disputes about the outcome of the election. The Mission anticipates that political parties will take their grievances to the Court of Appeal—the relevant legal forum for challenges in presidential elections—in the coming days. Bola Tinubu, who received a certificate of return from Nigeria's Independent National Electoral Commission (INEC) declaring him the president-elect, endorsed his competitors' recourse to the legal process regarding challenges.

Question. What are some areas where the U.S. needs to engage our Nigerian partners following the announcement of the presidential result on March 1, 2021 and ahead of the state-level vote on March 11?

Answer. The United States is urging INEC to take additional steps to address widespread delayed poll openings and other logistics challenges experienced during the February 25 elections as well as the technology issues that led to delays in the uploading and electronic transmission of scanned tally sheets to the electoral commission's results viewing portal, a mechanism designed to promote public transparency to complement the official, hard-copy results. Finally, the United States is calling on INEC to proactively communicate with the public about the problems experienced during the February 25 polls and how it is working to address them ahead of the March 11 state elections. U.S. officials are also engaging the candidates and their party leadership, alongside diplomatic partners, to welcome and reinforce

their mutual calls to eschew violence and pursue challenges through legal means, as well as encouraging senior Nigerian Government officials to continue their roles in calming the security environment in the runup to state-level elections for governor scheduled for March 11.

Question. Do you think it was premature to congratulate president-elect Bola Tinubu and the Nigerian people on the conduct and outcome of the February 25 election?

Answer. The United States recognizes Bola Tinubu as President-elect, in line with the official announcement of Nigeria's Independent National Electoral Commission made on March 1. This decision was also informed by the observations of international and domestic election observer missions, including the results of a Parallel Vote Tabulation process showing similar and statistically significant vote spreads consistent with nation-wide official results. Should candidates or parties choose to challenge the election outcome, which is their right under Nigerian law, we have urged them to do so through appropriate legal mechanisms. It is up to the Nigerian legal system to resolve any legal challenges in accordance with Nigerian constitution and law.

Question. In December, Reuters published a deeply troubling investigative piece on forced abortions and child killings by Nigeria's military. The Nigerian National Human Rights Commission has begun its investigation into the accusations, which the Nigerian Government has denied. As U.S. Ambassador, if confirmed, how will you engage the Nigerian Government and others on this process?

Answer. Since the deeply troubling Reuters pieces were published in December 2022, U.S. officials in Nigeria have contacted dozens of interlocutors who work in, or are familiar with, the Northeast part of the country where these allegations are alleged to have occurred. At the same time, officials in both Washington and Abuja have engaged at the highest levels of the Nigerian Government to encourage them to conduct a thorough, transparent investigation and hold accountable any who are responsible for human rights violations and abuses. They have also encouraged Nigerian authorities to engage impartial international voices as part of their effort to address the allegations. This U.S. engagement has seen results as the Nigerian Government has publicly committed to supporting an investigation by the Nigeria National Human Rights Commission. The Chief of Defense Staff publicly pledged to support the investigation and make any military personnel available that the Commission requests. If confirmed, I would continue to engage with the highest levels of the Nigerian Government to press for a transparent, full investigation while, at the same time, supporting my team's efforts to engage with local interlocutors in the northeast. If the National Human Rights Commission does find evidence substantiating these allegations, I will press the Nigerian Government to use its full authorities to ensure human rights violators face prosecution to the fullest extent of the law and would explore pursuing possible visa restrictions or financial sanctions against those committing gross violations of human rights.

Question. Do you feel that the Nigerian National Human Rights Commission has the capacity, independence and political space to conduct a sufficiently thorough investigation of the claims made in the Reuters piece, particularly given the short timeline the Nigerian Government has discussed for completion of the investigation (late March/early April)?

Answer. My understanding is that the Nigerian National Human Rights Commission (NHRC) has a mandate expected to last up to six months, with a final report due sometime this summer, although I understand we expect interim reports to be issued before then. Additionally, the NHRC has identified a series of individuals with reputable backgrounds and relevant experience to serve on this panel. The NHRC is considered a reputable, independent organization, and I understand U.S. officials have strongly advocated with the Nigerian Government to provide it with the necessary resources and support to conduct the investigation that these allegations warrant. The mission has also encouraged them to engage impartial international voices in their effort. Finally, as we encourage Nigeria to address allegations of human rights violations and abuses, it is important that we support the Nigerian Government and people in developing their own institutions with the capacity and credibility to respond as an effective Nigerian-led investigation, conducted by respected experts in relevant fields, as it will have greater credibility and its findings will have more acceptability with the Nigerian public than an "outside" investigation. If confirmed, I look forward to assisting, where appropriate, the investigations of the NHRC.

Question. I have been engaged in discussions with the Department over security assistance to Nigeria, considering both the acute security challenges Nigeria faces and the concerning human rights record of the Nigerian military. As U.S. Ambassador to Nigeria, if confirmed, how will you balance these considerations as you engage the Nigerian Government on security assistance and in combatting the insurgent threat posed by Boko Haram and other groups in the North East, and other security challenges across Nigeria?

Answer. I believe security assistance and human rights are inextricably linked as we help Nigeria face its security challenges throughout the country. We know that reported human rights violations and abuses, especially if the perpetrators are not held to account in transparent and accessible proceedings, erodes the trust the Nigerian Government needs to ultimately end security threats in the country. As Ambassador, if confirmed, I will engage with the highest levels of the Nigerian Government to urge them to investigate credible accusations of human rights violations and abuses and hold those responsible to account. At the same time, security assistance is critical to help the Nigerian Government create a safe and secure environment for its citizens. Consistent with the Leahy Law, we will not provide security assistance to units if there is credible information indicating the unit or its members have committed a gross violation of human rights. I would continue to support assistance where appropriate, such as where we could help the Nigerians improve their technical capabilities and ability to mitigate civilian casualties while, at the same time, increase the professionalism of the Nigerian Armed Forces.

Question. In the State Department's 2022 Trafficking in Persons Report, Nigeria remained on Tier 2 for not fully meeting the minimum standards for the elimination of trafficking but is making significant efforts to do so. If confirmed, what concrete steps could you take to help Nigeria operationalize the prioritized recommendations contained in the TIP report?

Answer. The Nigerian Government has demonstrated significant and increasing efforts and political will to combat human trafficking in recent years. In 2022, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) made several updates to their Protocols, Strategic Framework, and National Plan to account for lapses found during the COVID pandemic and for the needs of more vulnerable populations. Other efforts include recent finalization of a protocol agreement with UNICEF to refer children identified in armed conflict to civilian authorities. Nigeria also enhanced training and screening for trafficking across the travel industry and with social services agencies to identify and provide appropriate care for all those identified as victims. While there is political will, sustained U.S. and Mission Nigeria engagement on this issue will be critical to ensure successful implementation, as corruption and official complicity in trafficking crimes remain serious concerns. The Mission will continue to support NAPTIP's efforts through training and continued engagement. If confirmed, I will also encourage robust U.S. engagement with the National Police Force, a close NAPTIP partner, to prioritize key trafficking issues and to strengthen its coordination with NAPTIP.

Question. In the State Department's 2021 International Religious Freedom report, Nigeria was noted to have large scale religious-affiliated violence between Christian and Muslim communities. What is your assessment of religious freedom in Nigeria and if confirmed, how will you work with the Ambassador At Large for International Religious Freedom to bolster religious freedom in-country?

Answer. Religious freedom is enshrined in Nigeria's constitution and plays a key role in Nigerian society and its institutions. Because religion plays such an important role in Nigeria's social fabric, communal conflicts in Nigeria, often over resources or perceived grievances, can sometimes take on religious overtones. If confirmed, I will ensure that Mission Nigeria's work prioritizes outreach and dialogue with religious leaders and faith-based communities, who play a critical role in Nigeria's social fabric and who are important voices for promoting religious tolerance. I will engage the Government of Nigeria on specific cases and areas of concern. I will also seek opportunities to strengthen religious freedom protections in Nigerian law. Finally, I would continue to support State Department and USAID programmatic activities that promote religious tolerance, interfaith dialogue, and conflict resolutions programs. I look forward to the opportunity, if confirmed, to work with the Ambassador at Large for Religious Freedom to find innovative programs to reduce communal violence and increase trust across Nigeria's many religious communities.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. If confirmed, I commit to personally engaging with civil society to promote religious tolerance, advance interfaith dialogue, and encourage civil society's essential role in conflict prevention and community peacebuilding efforts, including by working with faith leaders. I would also support programs, including USAID activities, that work with civil society to train respected local leaders from a variety of religious faiths and ethnic backgrounds to better mediate conflicts and build peace, efforts that have already successfully reduced violent conflict in parts of Nigeria.

Question. If confirmed, what concrete steps can you take to help Nigerians increase their societal and governmental respect for religious freedom?

Answer. If confirmed, in addition to promoting respect for all religions and ethnicities by advancing interfaith dialogue with religious and community leaders, I would work with the Nigerian Government to address the root causes of conflict through better governance, rule of law, and accountability for those responsible for human rights violations and abuses. I would seek to engage leaders at the sub-national level to discuss the laws against blasphemy and insulting religion. I would also support programs, including USAID activities, that work with civil society to train respected local leaders from a variety of religious faiths and ethnic backgrounds to better mediate conflicts and build peace—efforts that have already successfully reduced violent conflict in parts of Nigeria.

Question. In the State Department's 2021 Human Rights Report, Nigeria was identified to have significant human rights issues including unlawful or arbitrary killings by the government, politically motivated reprisals, and restrictions on internet freedom. If confirmed, how will you direct your Embassy to work with the government to improve the human rights situation on the ground?

Answer. Strengthening respect for human rights is fundamental to U.S. engagement in Nigeria and around the world. A Nigerian Government that demonstrates transparency, seeks and achieves transparent accountability for abuses committed by government actors, and that fully respects the human rights of its people is a government that will help the country thrive. If confirmed, I will seek to advance and further institutionalize respect for human rights and accountability for those responsible for violations and abuses in our diplomatic and programmatic engagements, including through requiring human rights capacity building and training in our security cooperation. These programmatic engagements would be through a whole-of-government approach. For example, with regard to military cooperation, our sale of A-29 aircraft includes training on civilian harm mitigation and the Law of Armed Conflict. For civil society, USAID works with civil society on training and capacity building for wide-ranging topics like democratic governance, countering trafficking in persons, and greater inclusion of persons with disabilities. Our International Narcotic and Law Enforcement office programming to strengthen the capacity of Nigerian law enforcement includes robust human rights training.

Question. If confirmed, how will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground?

Answer. Nigeria has robust civil society organizations, able to operate freely, that are working to promote respect for human rights, and with which the U.S. Mission engages on a continuing basis. U.S. engagement with and support for them helps to inform U.S. policy, provides opportunities to engage with the Nigerian public, including with youth, and ensures that we have strong partners for U.S. programming. USAID, for example, is supporting CSOs advocating for an end to child forced marriage and for greater rights and accessibility for people with disabilities. If confirmed, continuing this engagement with Nigeria's civil society will be a priority for me.

Question. According to the Conduct in U.N. Field Missions online portal, there are 17 open allegations of sexual exploitation and abuse by the country's peacekeepers deployed to U.N. peacekeeping missions, in cases from 2017 and 2018. How will you engage with the Nigerian Government to ensure that perpetrators of sexual exploitation and abuse from U.N. peacekeeping missions are held accountable?

Answer. If confirmed, I would engage with the Nigerian Government to ensure any allegations of sexual misconduct are dealt with in a transparent and timely manner and those responsible held accountable. I will also draw upon my work as U.S. Deputy Representative to the U.N. addressing issues of peacekeeper accountability with the U.N. Secretariat and specific U.N. Missions to advise Nigerian authorities on their responsibilities to address allegations of sexual abuse and the mechanisms to do so. In this latter regard, Nigeria recently passed the Violence Against Persons Prohibition (VAPP) Act in part to combat the prevalence of gender-

based violence. The U.S. Mission continues to work with interlocutors, CSOs, and multilateral organizations to ensure the full implementation of the act. If confirmed, I would engage with the Nigerian Government on any serious and credible allegations of sexual exploitation by Nigeria's U.N. peacekeepers brought to my attention, and direct Mission personnel to continue to engage at the working level with Nigerian counterparts to ensure accountability for those responsible and support for victims of sexual violence.

Question. Many U.S. missions have been under enormous stress over the last several years, in large part due to COVID. What is your understanding of morale throughout Mission Nigeria?

Answer. The COVID pandemic and necessary mitigation strategies placed stress and challenges to work operations on Mission Nigeria staff, as the pandemic did on U.S. missions worldwide. Mission Nigeria leadership's transparent, pragmatic approach to addressing the stress on staff and work challenges was centered on ensuring the health and safety of all Mission staff, which strengthened Mission morale during a difficult time. If confirmed, I intend to maintain that approach as Chief of Mission.

Question. How do you intend to improve morale at Mission Nigeria?

Answer. If confirmed, I will be leading a Mission team with strong morale despite the real challenges—from a changing security environment to the aftermath of the COVID pandemic—that impact all the Mission team whether direct hires, locally-employed staff, or family members. A key to maintaining and strengthening the Mission's morale, in my view, will be regular communication with all staff on Mission operations, security issues, and U.S. policies.

I will continue practices I have successfully used in past assignments, including regular "town hall" meetings with staff, a regular "open door" by the Deputy Chief of Mission and myself for staff and family members to discuss concerns and ideas, and ensuring I create an environment in which all members of the country team, regardless of their host agency, are comfortable raising questions and new approaches on Mission policies and operations.

Demonstrating through my own actions, and those of the Mission's senior leadership, the Department's principles of diversity and inclusion is also a key to maintaining morale. Mission Nigeria has a strong track record of building a diverse, inclusive work force, whether in the diversity of the team's American direct hires or a locally employed work force that represents Nigeria's own diverse communities. I look forward to building on that record.

Question. How do you intend to create a unified mission and vision at Mission Nigeria?

Answer. If confirmed, maintaining a unified vision, messaging, and priorities among the fifteen different agencies at Mission Nigeria will be a top goal.

My experience managing other large U.S. missions, such as Mission Canada, taught me a key to achieving this goal is making sure the Mission's Integrated Country Strategy is a "whole of Mission" product which I would make clear that all staff should use in setting objectives and priorities for their work.

Consistent messaging, clear priorities, and communication with Mission section and agency heads is vital, as are regular consultations with agency headquarters and the interagency to hammer out differences early. Regular coordination among the various public affairs offices of each agency at the Mission is also critical to ensure consistency and alignment in our outreach and messaging to the Nigerian public.

As Chief of Mission, I have also learned the value of being clear at Mission country team and staff meetings about my planned schedule of meetings and public engagements, spelling out what my messages and goals will be, and expecting Mission staff to all mirror that messaging and goals as well. Making sure that key policy and messaging points are routinely shared to all sections and agencies across the Mission, even when not specifically pertinent to a section or agency's own work, is the most effective way to ensure a consistent vision and message across even the largest U.S. Mission teams.

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Question. Management is a key responsibility for chiefs of Mission. How would you describe your management style?

Answer. My management approach is to put an emphasis on building “one team,” preventing silos of information among Embassy sections and agencies and seeking out the staff’s frank views as part of my own decision-making process.

I view the Country Team as my primary resource for creative strategies on implementing Mission goals and raising policy issues that need resolution, while being clear that I expect Country Team members and section heads to empower their own staffs to be comfortable offering ideas and tactics to achieve Mission objectives, whether operational or related to U.S. policies. After appropriate discussion and consideration, when a decision is taken, I expect staff, in turn, to professionally carry out the decision to their best of their abilities. I assess their performance and potential only in that regard.

Question. Do you believe it is ever acceptable or constructive to berate subordinates, either in public or in private?

Answer. I do not.

Question. How do you envision your relationship with the Deputy Chief of Mission?

Answer. My Deputy Chief of Mission will be my fully empowered partner at Mission Nigeria. If confirmed, I look forward to my Deputy’s substantive engagement in all aspects of the Mission’s operations and significant policy decisions, so that he is ready and prepared to fill in for me whenever required and whatever the time frame. I want my Deputy to provide frank advice to me, whether in larger group settings or behind closed doors as the situation may require. I especially look to my Deputy to be a direct and frank conduit to me on insights into the staff’s operational concerns, issues related to family members, and overall morale.

Question. If confirmed, what leadership responsibilities do you intend to entrust to your Deputy Chief of Mission?

Answer. If confirmed, I plan for my Deputy to substantively engage in all aspects of the Mission’s operations and significant policy decisions.

With regard to specific leadership responsibilities, I envision entrusting him with leadership responsibility for maintaining a mentoring and professional-skills building program for direct hires and locally employed staff; monitoring Mission employment and hiring decisions to ensure we meet our diversity and inclusion goals; monitoring the Mission’s security environment to alert me and other Mission leadership when security decision points are reached; and working with Mission supervisors to ensure they are providing constructive and accurate evaluations of performance to staff, whether those staff are meeting performance requirements or failing to succeed.

Question. In order to create and continue employee excellence at the Department, accurate and direct employee evaluation reports (EERs) for Foreign Service Officers are imperative, though often lacking. Do you believe that it is important to provide employees with accurate, constructive feedback on their performance in order to encourage improvement and reward those who most succeed in their roles?

Answer. If confirmed, it will be among my highest priorities to ensure that Mission Foreign Service staff, across agencies, are provided meaningful, accurate, and constructive feedback on their performance in regular counseling sessions, as well as in their annual written evaluations.

Question. If confirmed, would you support and encourage clear, accurate, and direct feedback to employees in order to improve performance and reward high achievers?

Answer. If confirmed, I pledge to provide clear, accurate, direct feedback to my direct ratees and to convey I expect all supervisors, across all agencies, to provide the same constructive and direct feedback to their staff as well.

Question. It is imperative that U.S. diplomats get outside of posts abroad to meet with local actors, including host government officials, non-government organizations, and local citizens. In your experience, do U.S. diplomats get outside of our Embassy walls enough to fully accomplish their missions?

Answer. Engagement with local actors—whether from civil society, the private business sector, or sub-national governments—has been central to the work of each U.S. Embassy at which I have served or had the honor of leading as Chief of Mission.

Although security situations can limit access and the ability to travel in-country for some colleagues, my overall experience is that U.S. diplomats are eager to get beyond Embassy walls to effectively engage with a range of local actors and are able to do so to carry out their work.

If confirmed, I will continue to make such engagement with local actors a priority for myself and Mission Nigeria staff at all levels, consistent with the prevailing security environment.

Question. How do you intend to improve the ability of U.S. diplomats to better access all local populations?

Answer. Mission Nigeria leadership has successfully worked to balance the goal of ensuring U.S. diplomats are engaged with key local actors—from civil society to religious leaders—with the requirement of ensuring the safety of Mission staff.

If confirmed, I am committed that among my first goals will be to work with Mission Nigeria staff to identify the operational challenges—whether logistical, financial, or security—to strengthening their access to key local interlocutors. I am committed to taking actions that staff identify to expand our access to local populations in line with the prevailing security conditions in Nigeria at the time.

RESPONSE TO FOLLOW-UP QUESTION

Question. Do you think it was premature for you to congratulate president-elect Bola Tinubu and the Nigerian people on the conduct and outcome of the February 25 election on March 1? Please respond yes or no.

Answer. No, it was not premature to congratulate President-Elect Bola Tinubu, the Nigerian people, and political leaders on a competitive election on February 25. My decision to offer congratulations on the election's competitiveness during my March 1 confirmation hearing was made after serious reflection, taking into consideration the Department's public statement shortly before my hearing, although that statement was not determinative in my own decision-making.

My statement, as well as the Department's, was made after careful evaluation of available information and the announcement of official results by Nigeria's Independent National Electoral Commission (INEC). It was informed by the results of a credible Parallel Vote Tabulation which closely tracked nation-wide results. The election, despite the logistical problems and instances of serious violence at some polling stations, was highly competitive. Each of the top three presidential candidates won twelve states. In more than half of Nigeria's states—twenty—the winning presidential candidate represented a different party than that of the incumbent governor.

Neither the Department's statement nor my comments diminished U.S. concerns about the logistical and technical issues surrounding Nigeria's electoral process that clearly failed to meet Nigerians' expectations and our own as a friend of Nigeria. The United States has been very clear in its public statements that INEC must address such issues ahead of Nigeria's upcoming state-level elections.

I was also clear that Nigerian parties who have concerns about the electoral process and the announced outcome should use legally established mechanisms for resolving such concerns. The United States supports the right of all parties to fully pursue those mechanisms under Nigerian law, even though I understand those processes may be lengthy. We must allow this process to proceed. If confirmed, I will monitor the legal processes underway and not hesitate to speak out about any failures to accord all parties due process under Nigerian law.

Looking ahead, I will ensure that Mission Nigeria continues to press INEC to further strengthen the electoral process beyond this election cycle.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. RICHARD MILLS, JR. BY SENATOR MARCO RUBIO

Question. In May, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." The Chinese Communist Party (CCP) clearly holds all the reins of power in the People's Republic of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit by far the largest quantity of greenhouse gases. As we speak, the Party is cracking down on unprecedented student protests across the country. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

Answer. Yes, activities by the People's Republic of China (PRC) and CCP represent significant challenges to U.S. economic, political, and security interests globally and in the Africa region. Under President Xi, the PRC has become more repressive at home and more assertive abroad. We will defend and strengthen U.S. national security, prosperity, and values; defend international law and agreements and the other principles and institutions that maintain peace and security; and protect the rights of individuals and sovereign nations. As U.S. Deputy Representative to the U.N., I have seen first-hand how the PRC uses its influence in the U.N. and abroad in ways that undermine the rule of law, democratic principles, and the broader rules-based international order. In line with Secretary Blinken's speech on May 26, in which the Secretary said we will invest in our domestic strength and align with our allies and partners so that we can compete effectively with the PRC to defend our interests, if confirmed, I will continue to deepen our partnership with Nigeria, address our shared concerns, and engage with Nigerians to deliver the message that as one of Nigeria's largest humanitarian and development partners, the United States is committed to Nigeria's future, in contrast to the PRC's transactional approach. I will seek to highlight the risks associated with PRC engagement that could impact Nigeria's economy, security, democratic principles, sovereignty, and U.S. interests. Following on from my predecessor, I will also continue to ensure that our vision of regional security and prosperity remains the bulwark of a strong U.S.-Nigeria partnership that competes successfully with the type of relationship offered by the PRC. If confirmed, I will also work with the Department of State's new Office of China Coordination, to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the Nigerian context. This new office, inaugurated immediately following the U.S.-Africa Leaders Summit, brings together a group of China experts from throughout the Department and beyond to work more effectively with colleagues from every regional bureau and experts in international security, economics, technology, multilateral diplomacy, and strategic communications.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. We are committed to working with Beijing only if it secures American jobs, American values, and our way of life for future generations. Issues like food security, global health, climate change, the global drug trade, and COVID-19 are the very issues that directly threaten our prosperity and security and that of Nigeria. PRC contributions should be scrutinized, however, to ensure they are not a springboard for narrow PRC economic interests.

If confirmed, I will also work with the Department of State's new Office of China Coordination, to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the Nigerian context. This new office, inaugurated immediately following the U.S.-Africa Leaders Summit, brings together a group of China experts from throughout the Department and beyond to work more effectively with colleagues from every regional bureau and experts in international security, economics, technology, multilateral diplomacy, and strategic communications. In addition, I will direct the members of post's PRC working group to work closely with the Regional China Officer based in Abidjan.

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. The United States broadly, and Mission Nigeria specifically, should only work with the PRC where our interests clearly coincide. Limited areas potentially may emerge—perhaps food security, counter-narcotics, or disaster relief—where U.S. and PRC interests could converge in Nigeria. If confirmed, when appropriate, the mission would be ready to consider taking advantage of such opportunities if they

were clearly beneficial to the Nigerian people as well as aligned with U.S. interests and policy goals.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People's Republic of China in the countries, or organizations in which you will work?

Answer. If confirmed, I will consult Department guidance on engagement with PRC organizations or representatives to work together when it is in U.S. interests to do so.

Question. The CCP is Nigeria's largest bilateral lender of top export destination. CCP construction firms have a number of public infrastructure projects in the country to include railways, highways, new airport terminals, a deep-water port, and hydroelectric power project. What have been the impacts of CCP infrastructure investments for Nigeria, and for U.S. interests?

Answer. The CCP continues to find opportunities to increase their influence in Nigeria through these very visible projects, but the Nigerian private and public sectors have both indicated that the United States remains their partner of choice. China remains a major development, trade, and investment partner for Nigeria, and the largest source of official finance for Nigeria with \$10 billion from 2010 to 2017, but several key projects have fallen into disrepair or have proven to be inappropriate projects for Nigeria. In many cases, the selection of PRC firms and financing in these projects is simply due to a dearth of available or affordable alternatives. And outstanding PRC lending to Nigeria remains relatively limited at only \$3.1 billion, or 4% of Nigeria's total public debt.

CCP influence continues to expand, but the trend is being met with resistance by a skeptical population and politicians are increasingly critical. Chinese commercial entities face challenges operating in Nigeria and the public is wary of their interventions. If confirmed, I will make messaging the failure of Chinese investment and trade, in contrast to the values and benefits that U.S. investment brings to Nigeria's economy, a priority in my private and public engagements. We will continue to work with our likeminded partners to provide Nigeria the alternative opportunities provided by our government and private sector to ensure we remain Nigeria's partner of choice.

Question. What steps will you take to identify projects with Nigerian officials and the Development Finance Corporation regarding opportunities for U.S. companies to compete with CCP funded projects?

Answer. We have robust engagement with Nigeria on project identification and financing. We have a DFC representative in-country to support possible U.S. investment in local projects, and the Mission saw a visit by DFC CEO Nathan Scott in July of 2022. If confirmed, I will direct our Deal team, which includes the DFC, the Department of Commerce, and USTDA-which all maintain an in-country presence-to enhance our efforts to link U.S. firms with opportunities in Nigeria, whether through the International Trade Administration's (ITA) Express Leads system, reverse trade missions, or other commercial diplomacy tools at our disposal.

Question. In December 2022, Reuters reported that the Nigerian military ran a secret mass abortion program in its war against Boko Haram, resulting in at least 10,000 non-consensual abortions. Both State and DoD provide assistance and aid to Nigeria for counterterrorism purposes. If the claims are found to be credible, what should be the consequences for U.S.-Nigeria relations and security cooperation?

Answer. I was shocked to read about the allegations contained in the Reuters reports in December 2022. I know that U.S. officials, both in Washington D.C. and Abuja, have worked tirelessly to look into these claims as well as to press the Nigerian Government to conduct and support a thorough, transparent investigation and to hold accountable any individual responsible for human rights violations and abuses.

As per the Leahy laws, the Department does not provide assistance to any security force unit if there is credible information that the unit has committed a gross violation of human rights. All U.S. security assistance is evaluated on a case-by-case basis, and we take credible allegations into consideration as we plan security assistance. Looking ahead, we expect the Nigerian National Human Rights Commission to complete its investigation this summer and, if confirmed, I will continue to press the Nigerian Government to see the investigation to its conclusion and act on its findings. If these troubling allegations are substantiated, I would press the Nigerian Government to fully prosecute any individuals implicated, while at the same time exploring visa restrictions or financial sanctions against those committing gross violations of human rights.

Question. The Foreign Assistance Act of 1961 and annual appropriations legislation prohibit the use of taxpayer money to pay for abortions or advocacy to change the legal status of abortions in foreign countries. If confirmed, what will you do to verify that U.S. taxpayer money was not used in any Nigerian Government program conducting non-consensual abortions?

Answer. We are awaiting the conclusion of the Nigeria National Human Rights Commission's investigation into the allegations in the Reuters reports of December 2022. I do not wish to pre-judge their investigation. If confirmed, I pledge to press the Nigerian Government to act on any findings of wrongdoing in the report, to include taking appropriate actions and ensuring accountability for those responsible for human rights abuses and violations. The U.S. Government extensively monitors its activities in Nigeria to ensure compliance with all relevant U.S. legislation, including the Foreign Assistance Act of 1961, and the USAID Mission in Nigeria does not fund any services associated with abortion. That monitoring will be applied to the information that is reported as a result of the Human Rights Commission's investigation.

Question. The status of religious freedom in Nigeria is appalling. Nigeria's legal and criminal codes enshrine blasphemy laws informed by Shari'a law that are disproportionately wielded against Christians and members of minority religious groups. Cases of violence against religious Nigerians frequently go un-investigated and un-prosecuted by Nigeria's law enforcement agencies. For these reasons, the United States Commission on International Religious Freedom recommended last year that Nigeria be designated as a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998. However, the State Department did not designate Nigeria as a CPC. Do you agree with the State Department that the actions of Nigeria's Government are not sufficient for it to be designated as a CPC?

Answer. Although I was not involved in the decision, I understand that State Department assessed Nigeria did not meet the legal criteria to be designated a Country of Particular Concern (CPC) in 2022. The U.S. Mission in Nigeria and the Department of State writ large closely monitor religious freedom dynamics in Nigeria, including threats to religious freedom and the efforts of the Nigerian Government to promote religious freedom and tolerance. The Embassy engages religious institutions and advocacy groups of all faiths in Nigeria, as well as civil society and human rights and religious freedom advocates to make sure we have the most accurate picture possible, which the Mission regularly conveys to Washington. I am committed to ensuring the Mission's reporting and views are part of the inter-agency assessment on religious freedom in Nigeria and its CPC status. We also regularly engage the Government of Nigeria on religious freedom issues of concern and advocate strongly for both specific cases of concern and on broader issues. If confirmed, I would continue to do the same.

Question. If confirmed, do you commit to advocating for Nigeria's designation as a CPC?

Answer. I do not wish to prejudge the Department's annual review process on religious freedom designations in 2023, which will be based on developments in this calendar year. But I commit to ensuring that religious freedom issues will remain a priority for U.S. policy and Mission Nigeria if I am confirmed.

Question. If confirmed, what will you do to promote religious freedom in Nigeria?

Answer. If confirmed, I will ensure that our diplomacy prioritizes outreach and dialogue with religious leaders and faith-based communities, who play a critical role in Nigeria's social fabric and who are important voices for promoting religious tolerance. I will engage the Government of Nigeria on cases and areas of concern. I will also seek opportunities to strengthen religious freedom protections. Finally, I would continue to support State Department and USAID programmatic activities that promote religious tolerance, interfaith dialogue, and conflict resolution programs.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. RICHARD MILLS, JR. BY SENATOR BILL HAGERTY

Combating Anti-Israel Bias in the African Union and Other International Forums

As you know, on February 18, 2023, an Israeli diplomat who was an accredited observer with an entry tag was expelled from the opening ceremony of the African Union summit. In the following days, the African Union Commission Chief stated that Israel's observer status that the bloc has been suspended. These actions are part of a larger effort to delegitimize Israel by

states driven by hatred. Just as biased targeting of Israel at the United Nations is a grave concern, anti-Israel actions and rhetoric in other international forums also cannot be ignored. Indeed, what happened to Israel at the AU Summit is reprehensible and unacceptable.

Question. If confirmed, what would you do to address this problem?

Answer. AU Commission Chairperson Moussa Faki Mahamat accepted credentials of the Israeli Ambassador in 2021. However, this decision was challenged by some AU member states, as permitted by the AU Constitutive Act. The AU then established a Heads of State Committee to consult on the accreditation issue with plans to report back at the 2023 AU Summit. The committee is composed of six member states, with three opposing (Algeria, South Africa, Nigeria) and three supporting (Cameroon, Democratic Republic of Congo, Rwanda). Faki's acceptance of Israel and its observer status are on hold pending his receipt of the committee's recommendation.

As Deputy Representative to the U.N., I worked with the Israeli Mission in New York to convey to African Missions the value Israeli observer status would bring to the AU. If confirmed, I would continue to advocate with Nigerian officials that Israel's role in the African Union be finalized and confirmed as an observer. Multilateral institutions are strongest when differing voices and perspectives are united to enact change that impacts global populations. Israel's impact on Africa is significant, from its contributions to technology and resources to bolstering food security efforts via substantive trade-it is an important partner to the continent, so will be an equally important voice in the AU's work.

Question. What would you do to engage with foreign governments and ensure that Israel is not unfairly targeted, but rather included in future African Union summits and other regional and international forums?

Answer. Israel's outreach to African nations is something to be lauded. If confirmed, as Ambassador I would engage the Nigerian authorities, in close coordination with my Israeli colleagues, on the targeting of Israel in international fora, and would encourage the Nigerians to oppose unfair and unbalanced resolutions in all venues. It is worth noting that Nigeria and Israel have enjoyed full diplomatic relations for decades and then-President Goodluck Jonathan made the first visit by a Nigerian head of state to Israel in 2013.

Chinese Influence in Nigeria

Nigeria and China have a significant economic relationship, with China being Nigeria's largest trading partner. China has invested heavily in Nigeria's infrastructure development, including roads, railways, and ports.

Question. Are you concerned about China having outsized influence in Nigeria?

Answer. Countering the PRC's significant influence and role in Nigeria will be a priority for me, if confirmed. While the PRC remains a major development, trade, and investment partner for Nigeria, and the largest source of official finance for Nigeria with \$10 billion from 2010 to 2017, the Nigerian private and public sectors see the United States as their partner of choice. Nigerians overwhelmingly prefer U.S. goods, services, and expertise. As is the case globally, PRC influence within Nigeria is being met with some resistance by a skeptical population, and politicians are increasingly critical. It is noteworthy that Taipei has a Trade Office in Nigeria, continuing cultural and economic ties with Taiwan despite PRC pressure. All of this does not deflect from the fact that the PRC will continue to seek opportunities to advance its interests and undermine the rules-based international order. We will continue to work with our likeminded partners to provide Nigeria alternatives to the PRC's model of authoritarian development, mobilize financing mechanisms, and support American businesses to compete within this market.

Question. Do you think China's growing influence has the potential to negatively impact U.S. economic and security interests in Nigeria?

Answer. The PRC's growing influence has the potential to negatively impact U.S. economic and security interests in Nigeria. If confirmed, I will highlight and model the contrast between our values and trade benefits and those of Beijing, building on growing Nigerian public skepticism about the PRC's role in the country.

The PRC's inroads around Africa have come with many reports of threats if local governments question or disapprove of the Chinese Communist Party's policies, but in Nigeria the PRC does not act with impunity. While the PRC has invested in Nigerian infrastructure, such as rail, satellites, ports, and airports, PRC-affiliated companies have been cited for corrupt practices and have abandoned some projects entirely. Similarly, in their fight against violent extremists and other security challenges, Nigeria has learned that PRC-made equipment is unreliable and ineffective-

another reason why Nigeria views the United States as its security partner of choice. It is also important to note that outstanding PRC lending to Nigeria remains relatively limited at only \$3.1 billion, or 4 percent of total public debt.

If confirmed, I will work to strengthen our relationships with Nigerian interlocutors and make sure they receive the necessary technical assistance to adequately assess development and financing initiatives that benefit all Nigerians. We will continue to push opportunities for U.S. businesses, build upon recent visits from the heads of the Development Finance Corporation and the U.S. Trade and Development Agency for whom Nigeria is a key market and build on the momentum of December's African Leaders Summit. In the face of numerous, varied, and prolonged security challenges, we will also continue our active engagement with the Nigerian military to create a modern, professional, well-equipped fighting force capable of protecting the population while respecting human rights.

Question. If confirmed, what steps would you take to counter China's influence?

Answer. If confirmed, I will continue to lead Mission Nigeria's use of our full range of commercial promotion, foreign assistance, public diplomacy, and political and military partnerships to counter the PRC's influence. I plan to travel frequently, along with Mission Nigeria staff, to engage Nigerians to deliver the message that as one of Nigeria's largest humanitarian and development partners, the United States is committed to Nigeria's future, in contrast to the PRC's transactional approach. The Mission will use the tools and support provided by the Biden Administration's Partnership for Global Infrastructure and Investment (PGII) to enhance the Mission's Deal Team process that promotes U.S. firms as the preferred choice for Nigerian partners, underscoring the quality and transparency that other competitors lack. Our cultural and educational programming will continue to amplify U.S. soft power. Nigeria's commitment to mitigating the effects of climate change also presents an opportunity for even greater collaboration. Nigeria views the United States as the leader in climate mitigation and adaptation activities and I will continue to utilize engagement in this area to forge even closer ties and provide a credible alternative to PRC interests. And I will emphasize the values we share with Nigerians, such as our democratic systems and respect for individual freedoms.

The Nigeria Election:

Bola Tinubu of the ruling All Progressive Congress was declared winner of the 2023 presidential election on March 1, but the opposition has demanded a recount citing major fraud.

Question. Do you believe the Nigerian presidential election was credible and transparent?

Answer. The results of the election suggest the outcome credibly reflects the will of Nigerian voters, despite notable concerns and problems with the voting process on election day. Nigeria's Independent National Electoral Commission (INEC) had technical and logistical challenges during the 2023 election, including late-opening polling stations and locations with insufficient voting materials. Delays in the electronic transmission of polling unit results sheets-intended to serve as a backup to Nigeria's official transmission of voting tallies on paper-led to considerable frustration on the part of many voters and observers. While the numerous international and domestic observation missions also noted these problems, none of them questioned the overall legitimacy of the results. In the presidential race, opposition parties collectively won 64 percent of the vote; many states voted with the opposition-including 12 where the ruling All Progressives Congress (APC) party holds the governorship-and a USAID-funded parallel vote tabulation validated the national result and the presidential results in 35 out of 37 states. In the National Assembly elections, even with many results still unknown, opposition parties that had little or no representation have already won numerous seats. We have encouraged candidates with concerns about the integrity of the election to use appropriate legal mechanisms to contest the results and have joined other observers in urging INEC to increase transparency of electoral processes and improve in the areas needing most attention ahead of Nigeria's March 11 state elections.

Question. What are the prospects for mass protests and violence following the election?

Answer. Since INEC announced the results, all four major parties have called on supporters to remain calm and peaceful even as the opposition parties have vowed to contest the results of the election through established legal means. In the days since the election and announcement of results, to my knowledge there have not been mass protests or widespread violence.

Question. Nigeria's two leading presidential parties have each departed from long-standing conventions that aim to preserve balance in this very diverse country—the APC by putting forth a Muslim-Muslim ticket, and the PDP by nominating a northerner for the presidency after eight years of rule by another northerner. How do you think this will affect the election and broader north-south dynamics?

Answer. It is too early to predict how this dynamic will play out in Nigeria's politics longer term, but the departure from such conventions may in fact represent a positive development and a subtle shift away from identity politics. The major candidates sought to appeal to supporters outside their religion, and while religion was a factor, religious identity appears to have played a less defining role in the February 25 presidential election as compared with other recent Nigerian elections.

Christian Persecution in Nigeria:

The U.S. Commission on International Religious Freedom finds it “inexplicable that the U.S. Department of State did not include Nigeria or India in its latest designations of ‘Countries of Particular Concern’ under the International Religious Freedom Act.”

Religious violence and intolerance directed toward Nigerian Christians has worsened in recent years and Nigeria remains the deadliest country for Christians. Persecution of Nigerian Christians has been carried out by both the Nigerian Government, most notoriously through arrests and convictions under blasphemy laws, as well as non-state actors, including jihadist groups: Islamic State West Africa Province and Boko Haram.

Question. Do you agree with the Biden Administration's decision not to designate Nigeria a “Country of Particular Concern” under the International Religious Freedom Act? Please explain.

Answer. Although I was not involved in the decision, I understand that the State Department assessed Nigeria did not meet the legal criteria to be designated a Country of Particular Concern (CPC) in 2022. Religious freedom is a U.S. foreign policy priority. The U.S. Mission in Nigeria and the Department of State writ large closely monitor religious freedom dynamics in Nigeria, including threats to religious freedom and the efforts of the Nigerian Government to promote religious freedom and tolerance. The Embassy engages religious institutions and advocacy groups of all faiths in Nigeria, as well as civil society and human rights and religious freedom advocates to make sure we have the most accurate picture possible, which the Mission regularly conveys to Washington. The Mission also regularly engages the Government of Nigeria on religious freedom issues of concern and advocates strongly on both specific cases of concern and on broader issues. If confirmed, I would continue to do the same.

Question. Do you believe Christian persecution in Nigeria is increasing? If no, what is causing the decrease and what can we learn from it? If yes, what do you assess to be the principal drivers for the increase?

Answer. The overall security situation in Nigeria is of grave concern and is impacting Nigerian Christians, and Nigerians of all beliefs. While insecurity has worsened in recent years, the drivers of conflict are numerous and overlapping and are not necessarily indicative of increasing religious persecution. Experts have cited the proliferation of small arms, increasing competition over dwindling land and water resources, allegations of human rights violations and abuses by security forces, lack of accountability and access to justice, as well as politics, ethnicity, and religion among contributing factors. Ineffective state security responses, poor governance and service delivery, endemic corruption, and a lack of economic opportunity also create conditions that can increase risks for conflict and unchecked criminality.

Question. If confirmed, what would be your strategy to encourage the Nigerian Government to change anti-Christian blasphemy laws, prosecute those responsible for persecuting Christians, and hold security forces accountable for failing to protect Christian communities?

Answer. If confirmed, I will ensure that Mission Nigeria's work prioritizes outreach and dialogue with religious leaders and faith-based communities, who play a critical role in Nigeria's society and who are important voices for promoting religious tolerance and influencing societal attitudes around blasphemy. I will seek opportunities to strengthen religious freedom protections in Nigerian law. I will engage the Government of Nigeria on specific cases and areas of concern. I will press for accountability for abuses and for improved civilian security delivery by security forces to ensure individuals and religious communities are not victims to violence in the first place. Finally, I would continue to support State Department and USAID programmatic activities that promote religious tolerance, interfaith dialogue, and com-

munity-driven conflict resolution mechanisms. I look forward to the opportunity, if confirmed, to work with the Ambassador at Large for Religious Freedom to find innovative programs to reduce communal violence and increase trust across Nigeria's many religious communities.
