

**THE CRISIS IN ZIMBABWE
AND PROSPECTS FOR RESOLUTION**

HEARING
BEFORE THE
SUBCOMMITTEE ON AFRICAN AFFAIRS
OF THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
ONE HUNDRED TENTH CONGRESS

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THE CRISIS IN ZIMBABWE AND PROSPECTS FOR RESOLUTION

TUESDAY, JULY 15, 2008

U.S. SENATE,
SUBCOMMITTEE ON AFRICAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:30 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Russell Feingold, chairman of the subcommittee, presiding.

Present: Senators Feingold, Kerry, Nelson, and Isakson.

OPENING STATEMENT OF HON. RUSSELL D. FEINGOLD, U.S. SENATOR FROM WISCONSIN

Senator FEINGOLD. The hearing will come to order.

On behalf of the Senate Foreign Relations Subcommittee on African Affairs, I welcome all of you to this hearing on the crisis in Zimbabwe and prospects for resolution.

I am pleased to be joined shortly by my colleague and ranking member of this subcommittee, Senator Isakson, and I will invite him to deliver some opening remarks when he arrives.

I had hoped that today's hearing would not be necessary. The March 29th elections offered a chance to turn the page on what has become a very long and very tragic chapter in Zimbabwe's history. Although it fell short of international democratic standards, the African Union observer mission reported that the first presidential election in Zimbabwe expressed the general will of the people. But it took 5 weeks, after significant bloodshed and violence, to learn that Morgan Tsvangirai, leader of the opposition Movement for Democratic Change, had won 47.9 percent of the vote, while the incumbent, Robert Mugabe, won 43.2 percent.

And then rather than respecting the will of the people, the Mugabe regime chose, as they have done time and time again, to repress it. In the weeks after the election, the Mugabe regime launched a deliberate campaign of state-sponsored violence against the MDC's members, supporters, and the families in an attempt to cling to power. Reports of killings, abductions, torture, and sexual violence are staggering. The MDC reported just last week that 129 of its supporters have been killed, 1,500 detained, and another 5,000 remain missing since the March elections. It is no wonder that Mr. Tsvangirai decided to withdraw from the runoff of the Presidential election on June 27 and take shelter in the Dutch Embassy. Unsurprisingly, in a climate of fear and sheer terror, Mugabe reportedly won 90 percent of the vote.

Once considered a liberator of his people, Mugabe has become increasingly despotic and his reign increasingly disastrous. According to the best estimate, Zimbabwe's gross domestic product has decreased over 40 percent in the last decade. Unemployment has risen over 80 percent and inflation is believed to be over 10.5 million percent. Yes; 10.5 million percent. Food shortages, land grabs, and repression have led more than 4 million people to flee into neighboring countries, destabilizing the wider region. And as Secretary Rice said in April, Mugabe has "done more harm to his country than would have been imaginable."

There are some who suggest that now is the time for caution to avoid escalating the violence and unleashing civil war. However, Zimbabwe's descent has been underway for over a decade, and such a wait and see approach has only allowed this nightmare to grow. In the year 2000, I actually remarked on the Senate floor that we must act before Zimbabwe's problems become more complex and deeply entrenched. Eight years later, this remains the case.

Now, I respect those who have been involved in genuine efforts to mediate a peaceful settlement in Zimbabwe. But open-ended dialogue has largely been manipulated by Mugabe and his inner circle. Any serious negotiation between Mugabe and the opposition party will require a more robust mediation effort backed by united international support and leverage. I believe the current mediation team must be expanded beyond South Africa, to include representation from regional and international bodies. And I now call on the administration to press strongly for this expansion.

The unwillingness of a few key regional leaders to criticize the regime for its abuses or consider punitive measures against those responsible has been deeply disappointing. This has led some to speak of a divide between the West and the rest, an unhelpful divide that Mugabe exploits through his rhetoric. China and Russia's veto last Friday of a robust U.N. Security Council resolution imposing international arms embargo and multilateral sanctions exposed the poisonous nature of this divide. And I am, of course, deeply disappointed by their veto, especially considering China's increasing role on the continent.

I also find it discouraging that this veto was one of the new Russian President's first actions in Africa. Until we have a comprehensive, coordinated action by both regional and international leaders, including a combination of incentives and punitive measures, I fear the situation will only get worse.

I welcome the efforts of the Bush administration thus far, but I think more has to be done to overcome this divide as we press for tighter sanctions on those individuals responsible for this crisis. Now is the time to scale up, not give up on global action. We must not allow Zimbabwe to fall out of the international spotlight as it has many times before.

On Friday, Senator Isakson, the ranking member, who just joined us, and I, along with 16 of our colleagues introduced a resolution encouraging the administration's continued efforts and calling for more robust efforts by all regional international actors to bolster efforts to achieve a peaceful resolution to Zimbabwe's crisis. I am pleased that the Senate has now passed this resolution, which occurred yesterday.

Today's hearing will assess the volatile situation there and what is needed to resolve the crisis. It will explore how U.S. policy can be strengthened to maximize leverage, and expedite a negotiated agreement that respects the will of the people.

Now I would like to introduce our two distinguished panels so we can begin that discussion. First we will hear from Assistant Secretary of State Jendayi Frazer, who has been actively and directly involved in trying to bring an end to this crisis. We will also hear testimony from Katherine Almquist, the Assistant Administrator for Africa at the U.S. Agency for International Development, who will specifically address the humanitarian and development challenges faced by Zimbabwe.

With more than 4 million Zimbabweans having fled the country, the humanitarian dynamic is directly linked to the political concerns. And both of these witnesses have, of course, testified before the Africa Subcommittee, and so it is my pleasure to welcome you back. I appreciate your willingness to testify today, as I know this is a particularly busy day at the State Department. I look forward to a frank and productive discussion.

Our second panel features two nongovernmental experts who offer unique perspectives on the dynamics in Zimbabwe and potential for transformation. Mr. Thomas Melia is the deputy executive director of Freedom House, an organization that has reported on political and human rights violations in Zimbabwe for many years. Mr. Melia has long worked on issues of democracy in Africa and will provide us with his analysis of how the United States can best contribute to security, stability, and democracy in Zimbabwe and the wider region.

We will also hear from Ms. Michelle Gavin, adjunct fellow for Africa at the Council on Foreign Relations. Most recently Ms. Gavin authored the council's special report on Zimbabwe, titled "Planning for Post-Mugabe Zimbabwe," and has been a leading analyst of U.S. policy in Zimbabwe. Prior to her work with the Council on Foreign Relations, I was lucky enough to have Ms. Gavin as my foreign policy advisor here in the Senate. Ms. Gavin and I worked together for 6 years, and I am indebted to her for her work and her analysis on a very broad range of issues related to Africa and beyond.

And I can tell you that she and I met with President Mugabe in December of 1999 in what had to be one of the most surprising and difficult meetings I have ever experienced in my career. This was before this all happened. And we were able to come back and say something really bad is about to happen here, and we have never forgotten it.

So it is particularly pleasing for me, of course, to have her here to get her expert insights on how the United States tools and leverage can best be used to address the situation in Zimbabwe and to thank her again for her fabulous work for me.

Thank you to all our witnesses for being here. I look forward to your testimony and our subsequent discussion.

And now before the panel begins, I would like to turn to the distinguished ranking member, Senator Isakson for his opening comments.

**OPENING STATEMENT OF HON. JOHNNY ISAKSON,
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Well, thank you, Mr. Chairman. First of all, I associate myself with every word of your statement. I was pleased to join you in the resolution that passed the Senate last night regarding Zimbabwe.

And I welcome our witnesses today. I have had the privilege of hearing both of them testify before. They are a great asset to our State Department and are experts in this region.

There is no more grave situation in my mind than what exists in Zimbabwe, and I think your statement to encourage the world community through both sanctions and leverage and pressure to try and bring about free and fair elections and a civilized society in that country is absolutely paramount. And I look forward to joining you, Mr. Chairman, in every effort we can make on this committee to make that happen.

Thank you, Mr. Chairman.

Senator FEINGOLD. Thank you, sir, and thank you for being so cooperative and helpful on this and other matters.

Just so you know, apparently we will be having a vote at 11 o'clock. I will simply recess the hearing for as long as it takes me to get over there and come back and vote.

But subject to that, let us get started. Assistant Secretary Frazer, please.

STATEMENT OF HON. JENDAYI FRAZER, ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Assistant Secretary FRAZER. Chairman Feingold, Senator Isakson, I am pleased to testify before you today on the situation in Zimbabwe and the world's response. I thank you for your sustained strong support that has been so important in bringing this tragedy to the attention of a world that is beginning to join together for action.

Our goals have been consistent to push for an end to the violence, to achieve a democratic transition that is consistent with the will of the people of Zimbabwe as expressed on March 29, and to provide humanitarian assistance to the people of Zimbabwe.

To achieve these goals, we are pursuing several lines of action, including seeking a strengthened negotiation facilitated by the Southern African Development Community, the African Union, and the United Nations, preparing for more robust targeted sanctions if the regime refuses to negotiate and continues its massive violations of human rights, collaborating with international NGO's and African civil society to ramp up humanitarian assistance to the population, and cooperating with international financial institutions, like-minded countries, and African leaders to isolate the Mugabe regime and prepare for economic recovery and social rebuilding once Zimbabwe is on a credible path of democratic transition.

On June 27, the regime of Robert Mugabe in Zimbabwe conducted an election that by any standard was neither free nor fair. In a ruthless and methodical campaign of violence against the opposition, the regime succeeded in creating conditions that forced op-

position leader Morgan Tsvangirai to withdraw his candidacy. The United States does not and will not accept the legitimacy of any process that does not reflect the will of the Zimbabwean people.

The opposition Movement for Democratic Change, MDC, has explained why a free and fair election was impossible, citing state-sponsored violence and threats against MDC supporters and their family members, the Mugabe regime's attempt to circumscribe citizens' rights to express their views and freely elect their government, the regime's unlawful arrest and prohibition of MDC rallies making it impossible for the opposition to organize and campaign and for voters to safely and freely vote their conscience, partisanship of the Zimbabwe Electoral Commission, and lack of MDC access to the media. In addition, Mugabe's statements that an MDC victory would not be accepted, ZANU-PF's planned election rigging, and other factors all prevented a credible election.

Indeed, in order to ensure that Tsvangirai would not win the runoff, the regime carried out a massive campaign of murder, harassment, and intimidation to claim victory in the June 27 runoff. We know that more than 100 people have been murdered, more than 3,000 have sought medical treatment for beatings and torture, and more than 30,000 have been driven from their homes because of the violence. Many Zimbabweans fled for their lives to neighboring states. At least two MDC Parliamentarians, winners in the March 29 elections, are missing and presumed dead. And a third MDC Parliamentarian's whereabouts are unknown. MDC Secretary General Tendai Biti was detained and charged with treason. Tsvangirai himself was detained four times and forced to seek protection in safe houses and the Dutch embassy.

The United States has responded with aggressive regional and multilateral diplomacy, as well as targeted bilateral sanctions. President Bush and Secretary Rice have encouraged African leaders to take responsibility to prevent the further collapse of Zimbabwe.

I attended the recent summit of the African Union 2 weeks ago in Sharm el-Sheikh, Egypt, in which 53 African Member States participated. The official theme of the summit was water and sanitation, but discussion of Zimbabwe dominated the agenda. Only a very few leaders publicly welcomed Mugabe. Little was said about Zimbabwe in public sessions, but there was substantial behind-the-scenes criticism of Mugabe and much discussion of Zimbabwe.

The final AU statement on June 30 said that "the election process fell short of accepted AU standards." The AU summit thus followed the statements of all the African observer missions, the Southern African Development Community, the Pan-African Parliament, and the AU observer missions, which all made similar observations that the runoff election was not free, fair, or credible and took place in an environment of government-sponsored violence and intimidation. Importantly, the African Union resolution expressed its concern about the impact of the crisis in Zimbabwe on the stability of the region, highlighting the "urgent need to prevent further worsening of the situation and with a view to avoid spread of conflict with the consequential negative impact on the country and the subregion."

Individual African leaders have stood up against Mugabe as well. Many have spoken out. These include Prime Minister Raila Odinga of Kenya, Zambian President Levy Mwanawasa, also chairman of the Southern African Development Community, Botswana President Ian Khama, former South African President Nelson Mandela, and Africa National Congress Party head Jacob Zuma. Sierra Leone and Liberia cosponsored the U.N. Security Council resolution in Zimbabwe, which regrettably did not pass in the Security Council on July 11.

We commend them for their stance that reflects the views of a vast majority of the continent.

On July 1, the United States circulated in the Security Council capitals the text of a draft chapter VII resolution on Zimbabwe that would have imposed a comprehensive arms embargo and an annex of individuals who would be subject to an asset freeze and a travel ban for having ordered, planned, or participated in acts of politically motivated violence. The resolution also called on the U.N. Secretary General to appoint a dedicated special representative for the situation in Zimbabwe who would support the negotiation process between the regime and the opposition. The U.S. formally introduced the draft resolution in the council on July 3 and held over four rounds of discussions on the text.

Despite receiving nine votes to pass the resolution, it failed due to China's and Russia's vetoes. Thus, the U.N. Security Council missed the opportunity to support the courageous efforts of the Zimbabwean people to change their lives peacefully through elections and show the Mugabe regime that the international community means what it says in demanding an immediate end to the violence, reinstatement of humanitarian assistance, and the start of serious negotiations with the opposition leading to a solution that respects the will of the Zimbabwean people.

This will not deter us since the U.N. action would have been in addition to unilateral financial and travel sanctions already applied by the United States against more than 150 Zimbabweans who have undermined the country's democratic institutions and processes. We are adding to our list and will increase our enforcement efforts. These targeted measures offer a means of holding officials accountable for their actions without inflicting further hardship on the general population.

What are the next steps? First, we will continue to isolate the regime until there is a democratic transition. Africans are starting to take a more public stance, criticizing Mugabe and the electoral process. The United States will continue its own sanctions and encourage others to impose additional sanctions to increase pressure on the Mugabe regime. Second, we will support and encourage expanded regional mediation. Finally, we will prepare for the day when the will of the Zimbabwean people is respected by supporting planning for economic recovery, social reconciliation, and rebuilding.

As President Bush said to the United Nations, "In Zimbabwe, ordinary citizens suffer under a tyrannical regime. The government has cracked down on peaceful calls for reform and forced millions to flee their homeland. The behavior of the Mugabe regime is an assault on its people." President Bush reiterated at the G-8 Sum-

mit that he cares deeply about the people of Zimbabwe and was extremely disappointed in the election which he has labeled a “sham” election.

I will end by emphasizing that Mugabe’s electoral sham has had the positive effect of galvanizing the world to act. We have witnessed in the past 3 weeks the United Nations, the G-8, the African Union, the European Union, and SADC all condemning the fraud and violence in Zimbabwe. Africans themselves are acting. The world has a precious window of opportunity increase the international pressure on this illegitimate government. I ask for your support as we look for ways to help keep that pressure on and end the nightmare that the proud and inspiring people of Zimbabwe have suffered for too long.

Thank you.

[The prepared statement of Ms. Frazer follows:]

PREPARED STATEMENT OF HON. JENDAYI FRAZER, ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

INTRODUCTION

Chairman Feingold, Senator Isakson and members of the committee, I am honored to testify before you today on the situation in Zimbabwe and the world’s response. I thank you for your sustained strong support that has been so important in bringing this tragedy to the attention of a world that is beginning to join together for action.

Our goals have been consistent to: (1) Push for an end to the violence and to provide humanitarian assistance to the Zimbabwean people, and (2) achieve a democratic transition that is consistent with the will of the people of Zimbabwe as expressed on March 29. Ways to achieve these goals include: (1) An expanded and inclusive negotiation facilitated by the Southern African Development Community, the African Union, and the United Nations; (2) more robust targeted sanctions regime if the regime refuses to negotiate and continues its massive violations of human rights; (3) collaboration with international NGOs and African civil society, to ramp up humanitarian assistance to the population; and (4) cooperation with international financial institutions, like-minded countries, and African leaders to isolate the Mugabe regime and prepare for economic recovery and social rebuilding once Zimbabwe has achieved democratic transformation.

On June 27, the regime of Robert Mugabe in Zimbabwe conducted an election that by any standard was neither free nor fair. In a ruthless and methodical campaign of violence against the opposition, the regime succeeded in creating conditions that forced opposition leader Morgan Tsvangirai to withdraw his candidacy. The United States does not and will not accept the legitimacy of any result that does not reflect the will of the Zimbabwean people.

I want to walk through the key events of the last 3 months. The first round of voting in Zimbabwe took place on March 29, followed by an extended period of 3 weeks of calculated delay before results were released by the official electoral commission. When they were finally released, Movement for Democratic Change (MDC) Presidential candidate Morgan Tsvangirai was credited with over 48 percent of the vote compared to Mugabe’s 43 percent (there was a third independent candidate as well). Since the Zimbabwe Electoral Commission announced that neither candidate secured the required 50-percent-plus-one vote to win the election outright, a runoff date was announced.

On June 22, Tsvangirai withdrew from the runoff election due to the violence that had taken place against his party and its supporters that began on March 29. The MDC enumerated why a free and fair election was impossible, citing state-sponsored violence and threats against MDC supporters family members, the Mugabe regime’s attempts to circumscribe citizens’ right to express their views, and change the government, by making it impossible for the opposition to organize and campaign and for voters to safely and freely vote their consciences through unlawful arrests and prohibition of MDC rallies, partisanship of the Zimbabwe Electoral Commission, and lack of MDC access to the media. In addition, Mugabe’s statements that an MDC victory would not be accepted, planned election rigging, and other factors also prevented a credible election.

Indeed, in order to ensure that Tsvangirai wouldn't win the runoff, the regime carried out a massive campaign of murder, harassment, and intimidation to claim "victory" in the June 27 runoff. We know that at least 100 people have been murdered; over 3,000 have sought medical treatment for beatings and torture; and over 30,000 have been driven from their homes. Many Zimbabweans fled for their lives to neighboring states. At least two MDC parliamentarians—winners in the March 29 elections—are missing, perhaps dead. And, a third MDC parliamentarian's whereabouts are unknown. MDC Secretary General Tendai Biti was detained and charged with treason. Tsvangirai himself was detained four times and forced to seek protection in safe houses and the Dutch Embassy.

The Government of Zimbabwe continues its reign of terror against Internally Displaced Persons (IDPs). On June 26, several hundred IDPs arrived at the South African Embassy in Harare seeking shelter and assistance. On June 27, "election day," following a reported arrangement between some international agencies and Zimbabwean authorities, the IDPs were relocated to a facility run by the Ministry of Labor and Social Welfare outside Harare. On July 3, over 300 displaced MDC supporters arrived at U.S. Embassy Harare seeking shelter, food, medical care, and supplies. Mission staff, through considerable effort and despite the harassing presence of government security officers, were able to provide initial help. With only a limited Zimbabwean Government response and civil society and Western and international organizations trying to fill the void with inadequate resources, the situation with the IDPs continues to be bad.

ECONOMY

It wasn't so long ago that Zimbabwe was a model in Africa for democracy and prosperity. This is a country that maintained steady economic growth, was building a middle class, and was educating its entire population to Africa's highest levels of literacy. It is a country that was succeeding and now is in the process of disintegrating.

The economic figures are staggering. Over 80 percent of the country is unemployed. Inflation is the highest in the world by far. The Zimbabwean Government's own Central Statistical Office's most recent inflation estimate was 164,000 percent for February. There's an indication that the June rate may have reached 9,000,000 percent—unimaginable numbers. This spring, the IMF forecast a 2008 annual growth rate of negative 4.5 percent. After close to 8 years of severe economic decline, a quarter of the population has left the country to seek better opportunities elsewhere, mostly in South Africa. The U.N. Development Index shows that Zimbabwe's statistics are worse today than in 1975, at the height of the country's war for independence.

While the current violence has uprooted thousands and turned them into IDPs, this pattern of displacement is not new. In 2005, the government has also purposely destroyed an entire community near Harare. Operation Murambatsvina (Drive out the Trash), another brutally executed well-planned and executed security scheme, wiped out thousands of homes and made 700,000 homeless in one fell swoop. An additional 700,000 workers once employed and living on commercial farms no longer have either jobs or homes.

A year ago, the government tried in its peculiar way to vanquish hyperinflation by command. It ordered all stores to freeze prices immediately. It came as no surprise that the shelves were emptied quickly and many businesses were forced to close or go bankrupt. And it resorted to printing bills for reserves it didn't possess.

Simply put, Zimbabwe has been and is collapsing. What is unusual, however, about the Zimbabwean case, is that there is no outside factor that has caused it—no natural disaster, no war, no international economic or financial phenomenon that we can often point to elsewhere in the world. Zimbabwe's collapse is entirely self-inflicted by the government's misrule over the course of many years.

HOW ZIMBABWE GOT TO WHERE IT IS

How did Zimbabwe get to this point? Mugabe's economic policies in the 1980s were auspicious, reflecting an understanding that markets and trade-based growth were the country's foundation. A far-sighted education policy of promoting mass literacy and schooling through high school began to bear fruit. A new generation of Zimbabweans came into the marketplace literate, politically aware, and technologically savvy. They enjoyed a multitude of information sources, the Internet, domestic radio, international radio beamed by satellite and aired on FM, domestic and international television, and a healthy independent press.

Early on, however, Mugabe gave the world a glimpse of his capacity for ruthlessness against his own people. Mugabe's base has always been among the majority

Shona-speakers. His rival for liberation leadership, Joshua Nkomo, drew his support from the minority Ndbele speakers, centered in the country's southwest. Determined not to brook any serious opposition, the government's security forces planned and, working with North Korean advisors, executed a calculated campaign against the Ndbele, killing as many as 20,000.

By the 1990s, ZANU-PF was evolving from a people's liberation movement into an entrenched and corrupt elite. The turning point came in 2000, when the government lost a referendum on a constitutional revision that would have substantially expanded the Presidential authority. By all accounts, the rejection took the government and ZANU-PF by complete surprise, so isolated had they become from ordinary Zimbabweans.

The new generation of well-educated Zimbabweans promoted by Mugabe's education policies was sophisticated, well-informed, and hungry for new political leadership. They joined hands with labor, churches, and civil society organizations to create the Movement for Democratic Change (MDC). The MDC's initial success prompted the government to respond forcefully to hold on to power.

ZANU-PF answered the MDC challenge with every weapon characteristic of a police state. It passed new laws limiting political activity and restricting the media. There was an organized campaign of intimidation and violence against opposition leaders and supporters. So-called "war veterans" led invasions of commercial agricultural lands, occupations that would within a few years destroy most of the country's 4,000 highly productive farms that had been the backbone of the nation's economy and had fed the entire region of southern Africa.

These brutal tactics succeeded in maintaining ZANU-PF in power. ZANU-PF won parliamentary elections by a small margin in late 2000. In 2002, Mugabe would claim a highly disputed victory. But the political victories came at a huge price as the economy went into a tailspin where it has stayed ever since. The government's inability to reverse the economic disaster has been its undoing and to this date, it has shown no sign of taking serious, realistic measures to halt a decline into chaos.

GOVERNMENT EXCUSES

When faced with criticism at home or abroad, the Mugabe regime has a long habit of generating excuses. After the land seizure in 2000, officials rejected claims of a steep decline in food production, then later accepted them but blamed it on drought conditions. There actually was a drought, so the partial truth made the excuse more plausible.

The government also has blamed foreign conspiracies for the faltering economy. Targets have included the British Government, the International Monetary Fund (IMF), and an alleged plot to bring down the regime. Sanctions imposed by the U.S. and U.K. governments, although carefully targeted to affect only the regime's elite, have provided fodder for the foreign conspiracy mindset, and been sold to the people as evidence that the West is trying to bring down the regime by wrecking the economy. All of these excuses indicate an isolated regime cut off not only from most of the world, but from the reality of the conditions affecting its own people as well as Zimbabweans' expressed desire for change.

CURRENT U.S. RESPONSE

The United States has responded with aggressive regional and multilateral diplomacy as well as targeted bilateral sanctions. President Bush and Secretary Rice have encouraged African leaders to take responsibility to develop African solutions to the collapse of Zimbabwe. I attended the summit of the African Union 2 weeks ago in Sharm el-Sheikh, Egypt, in which 53 African Member States participated. The official theme of the summit was water and sanitation, but discussion of Zimbabwe dominated the agenda. Only a very few leaders publicly welcomed Mugabe. Little was said about Zimbabwe in public, but there was substantial behind-the-scenes discussion.

The final AU statement on June 30 said that "the election process fell short of accepted AU standards." The Pan-African Parliament (PAP) made a similar observation in its interim statement the same day, saying that the elections were not free, fair, or credible. Importantly, the African Union resolution expressed its concern about the impact of the crisis in Zimbabwe on the stability of the region, highlighting the "urgent need to prevent further worsening of the situation and with a view to avoid spread of conflict with the consequential negative impact on the country and the subregion."

Individual African leaders have spoken out as well. Prime Minister Raila Odinga of Kenya has urged the AU to suspend Mugabe and send peacekeeping forces to Zimbabwe. Zambian President Levy Mwanawasa, chairman of the SADC, has called

the situation in Zimbabwe an embarrassment to southern Africa and said "it is scandalous for the SADC to remain silent."

Former South African President Nelson Mandela called the situation "a tragic failure of leadership." And ANC party head Zuma said after the extended delay in announcing the March 29 results: "It's not acceptable. It's not helping the Zimbabwean people who have gone out to . . . elect the kind of party and Presidential candidate they want, exercising their constitutional right."

On June 23, the Security Council unanimously adopted a Presidential Statement (PRST) that condemned the preelection violence that made it impossible for free and fair elections to take place. The statement also expressed the Council's concern over the impact of the situation in Zimbabwe on the wider region. It called on the Zimbabwean Government to cooperate in regional mediation efforts that would allow a government to be formed and to permit humanitarian organizations to resume their services.

On June 27, after U.N. Security Council consultations on Zimbabwe, members of the Council authorized Ambassador to the U.S. Mission Khalilzad, in his capacity as President of the Security Council, to make a statement to the press reaffirming the Council's June 23 statement and its intention to come back to the issue in the coming days.

On July 1, the United States circulated in U.N. Security Council capitals the text of a draft chapter VII resolution on Zimbabwe that would impose a comprehensive arms embargo and an annex of 12 individuals who would be subject to an asset freeze and a travel ban and asset freeze on those designated as having ordered, planned, or participated in acts of politically motivated violence. The resolution had an Annex of 14 individuals who would be designated upon adoption of the resolution, with Robert Mugabe at the top of the list. The resolution also called on the U.N. Secretary General to appoint a dedicated Special Representative for the situation in Zimbabwe, who would support the negotiation process between the regime and the opposition. The U.S. formally introduced the draft resolution in the Council on July 3 and held over four rounds of discussions on the text.

Despite receiving nine votes to pass the resolution, it failed due to China's and Russia's vetoes. Thus, the U.N. Security Council missed the opportunity to support the courageous efforts of the Zimbabwean people to change their lives peacefully through elections and show the Mugabe regime that the international community means what it says in demanding an immediate end to the violence, reinstatement of humanitarian assistance, and the start of serious negotiations with the opposition leading to a solution that respects the will of the Zimbabwean. This will not deter us, since the U.N. action would have been in addition to unilateral financial and travel sanctions applied by the U.S. against more than 150 Zimbabweans who have undermined the country's democratic institutions and processes and entities they control. These targeted measures offer a means of holding officials accountable for their actions without inflicting further hardship to the general population.

NEXT STEPS

What are the next steps?: (1) We will continue to isolate the regime until there is a democratic transition; Africans are starting to take a more public stance, criticizing Mugabe and the electoral process; the United States will continue its own sanctions and encourage others, especially the European Union, to impose additional sanctions to increase pressure on the Mugabe regime; (3) we will support and encourage regional mediation. Finally, we will prepare for the day when the will of the Zimbabwean people is respected by supporting planning for economic recovery, social reconciliation, and rebuilding.

As President Bush said to the United Nations, "In Zimbabwe, ordinary citizens suffer under a tyrannical regime. The government has cracked down on peaceful calls for reform and forced millions to flee their homeland. The behavior of the Mugabe regime is an assault on its people." President Bush reiterated at the G-8 summit that he cares deeply about the people of Zimbabwe and was extremely disappointed in the elections which he has labeled as "a sham."

I will end by emphasizing that Mugabe's electoral sham has had the positive effect of galvanizing the world to act. We have witnessed in the past 3 weeks the United Nations, G-8, African Union, European Union, and SADC all condemning the fraud and violence in Zimbabwe. Africans themselves are acting. The world has a precious window of opportunity to increase the international pressure on this illegitimate regime. I ask for your support as we look for ways to keep that pressure on, and end the nightmare that the proud and inspiring people of Zimbabwe have suffered for too long.

Senator FEINGOLD. Thank you, Assistant Secretary Frazer.

Ms. Almquist.

STATEMENT OF HON. KATHERINE J. ALMQUIST, ASSISTANT ADMINISTRATOR, BUREAU FOR AFRICA, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, WASHINGTON, DC

Ms. ALMQUIST. Thank you, Mr. Chairman and Senator Isakson, and members of the committee for the opportunity to testify today on the grave situation in Zimbabwe. I have submitted a longer written statement that I would request be added to the record.

Zimbabwe has reached a tipping point as the Mugabe regime is faced with the daunting multifaceted socioeconomic and political crisis. USAID is strengthening democratic forces and institutions, contributing to heightening pressure on the Mugabe regime, and providing humanitarian assistance to those made vulnerable by a decade of government mismanagement and abuse.

USAID engagement is more important than ever as the nation sits on a knife's edge following the conclusive March 29 harmonized elections, the post-election violence, and the widely discredited elections that illegitimately left Mugabe holding power. Deep fissures in ZANU-PF, increasing pressure from regional and international governments, and strengthening civil society institutions will hopefully lead to a transitional government for a populace hungry for a more accountable and responsible government and a return to prosperity.

The socioeconomic and political environment has significantly deteriorated in the past several months. The food security outlook, exacerbated by heavy rains and gross economic mismanagement, is dismal. One-third of the population required food aid this past year, and the need is likely to increase in August and through the next hunger season.

The political environment remains highly restrictive and polarized. ZANU-PF's campaign of intimidation and violence has led to a growing number of displaced persons. In the past, the regime targeted key activists and opposition leaders, but it is now unleashing violence on anyone suspected to be an MDC supporter as well.

At the same time, a politically controlled security and justice system is conducting unlawful and arbitrary arrests and indiscriminately applying the law. Freedom of speech, movement, and assembly are severely curtailed.

Blatant disregard for economic tenets have resulted in an inflation rate of now over 10 million percent as of July 2008, a rapidly shrinking GDP, expected to decline by 7 percent this year, and basic commodity shortages.

Out-migration of skilled professionals continues unabated, hollowing out education and health care systems and capacity of the government, the private sector, and NGO's to provide essential services. Drugs and health care commodities are in short supply and basic services are either unaffordable or unavailable.

USAID assistance is pivotal to restore good governance and economic prosperity and to provide for the needs of those most adversely affected by the crisis. USAID programs support prodemocracy forces, including the democratic opposition, to pressure the regime for change and to enhance democratic entities' ability to participate effectively in the transition process and future governance.

Restoration of rule of law and democratic freedoms remain core program elements. Food and nonfood humanitarian assistance, including livelihood support and water, sanitation, and hygiene interventions, help meet the critical needs of the most vulnerable.

In addition, the USAID program provides for the immediate needs of those displaced or injured by political violence. HIV/AIDS prevention, care and treatment initiatives, inclusive of family planning and TB and coinfection interventions, are also critical elements of the USAID program to address an HIV prevalence rate of 16 percent and the needs of approximately 1.3 million orphans and vulnerable children.

In the event of political change, USAID would adjust its program focus to rebuild tattered democratic institutions, restore rule of law and good governance, and build national consensus. The USAID program would also undertake economic stabilization support as a complement to the work of the international financial institutions and increase private sector and agricultural productivity.

The social sector program would expand to better address the devastating effects of the HIV/AIDS pandemic and to more ably respond to health care system weaknesses and to malaria and maternal and child health needs.

USAID would continue to be the principal provider of humanitarian assistance to help meet the food and nonfood needs of those hardest hit by the economic stabilization programs.

To prepare to respond more fully, quickly, and collaboratively, USAID is participating in the World Bank's Multi-Donor Trust Fund to conduct sector-specific baseline analyses and to develop and create public debate on policy options and recommendations for a transition period.

I would be happy to take additional questions that you have.

[The prepared statement of Ms. Almquist follows:]

PREPARED STATEMENT OF HON. KATHERINE ALMQUIST, ASSISTANT ADMINISTRATOR,
BUREAU FOR AFRICA, USAID, WASHINGTON, DC

Mr. Chairman and members of the committee, thank you for inviting me to testify today about USAID's support for U.S. foreign policy goals in Zimbabwe. We appreciate the strong bipartisan support in Congress for improving the lives of people in this deeply troubled country.

Since Zimbabwe's independence in 1980, USAID has partnered with the people of Zimbabwe to overcome many obstacles on the path to democracy and prosperity. Our commitment to this goal remains strong. Today, our programs provide critical support for the people of Zimbabwe as they pursue peaceful democratic change. USAID programs also provide crucial legal, medical, health, food and other humanitarian assistance to the millions of innocent victims of the regime's violence and mismanagement.

Despite the current severe crisis facing the people and friends of Zimbabwe, we remain optimistic about the country's long-term potential and its prospects for positive change. When genuine reform does occur, our mission and partners stand ready to work with this committee to assist the new government and people in facilitating the country's successful transformation to its former status as a constructive and prosperous member of the Southern African Development Community (SADC), Africa and the greater international community.

CURRENT SITUATION

Many difficult challenges confront Zimbabwe. The country faces what experts call the worst harvest in decades due primarily to government mismanagement. As a result, the survival of an estimated 5 million people—more than a third of Zimbabwe's population—will depend on imported food aid this year. At present, the next

year looks equally bleak as agricultural inputs are scarce and farmers have little incentive to cultivate their land.

State-sponsored violence and torture continue as ruling party militants systematically oppress the opposition party, the Movement for Democratic Change (MDC), and anyone else who does not comply with the autocratic demands of the Mugabe regime. According to human rights monitors, more than 100 MDC activists have been killed and thousands more have been seriously injured since the March 29 elections. Emergency care for many of these victims is provided by brave doctors and nurses who are often beaten themselves for performing this critical medical work.

The violence has forced tens of thousands of Zimbabweans to flee their homes and villages. Most of these internally displaced persons (IDPs) have found temporary shelter with relatives and friends. Some IDPs have sought refuge in so-called "safe areas," supposedly protected by negotiated security arrangements with government and United Nations (U.N.) agencies. However, state-sponsored militias are now attacking even these "safe havens," sending victims running for their lives once again. With no one to turn to and no place to go, many Zimbabweans are opting to join the millions of their countrymen who have fled to an uncertain fate in neighboring lands.

Compounding the humanitarian crisis, the Government of Zimbabwe (GOZ) suspended the operations of humanitarian NGOs in early June. Rigidly enforced by local government authorities, military and militias, this suspension means that NGO staff cannot even leave offices to assess the conditions and needs in most parts of the country. Actual aid provision is increasingly difficult. Even churches and faith-based organizations are afraid to provide aid and sanctuary to IDPs because of intimidation and fear of violent reprisals.

In short, Mugabe's regime has unleashed organized brutality on an enormous scale, and largely prevented humanitarian aid from reaching the bloodied, hungry, terrorized, and displaced people of the country.

USAID PROGRAM RESPONSES

USAID has aggressively responded to the deteriorating situation in Zimbabwe through both humanitarian assistance as well as our ongoing democracy and governance initiatives.

HUMANITARIAN ASSISTANCE

USAID's Food for Peace program provided 175,000 metric tons of food worth \$171 million to millions of the country's most vulnerable people in the past year. About half of this food was distributed through a consortium of NGOs known as C-SAFE, consisting of World Vision, CARE, and Catholic Relief Services. The other half was distributed by the U.N. World Food Program. Over half of all the food distributed by the U.N. World Food Program was given by USAID. In total, the U.S. Government contributed 72 percent of all food assistance given to Zimbabwe last year.

About \$115 million for food aid is already in the funding pipeline for this next hungry season. More is on the way, but we need GOZ assurances that our partners will have access to freely distribute this food to the most vulnerable communities. Since the beginning of Zimbabwe's deterioration in the year 2000, the U.S. has provided this country well over 1 million metric tons of food assistance.

USAID's Office of Foreign Disaster Assistance has also provided \$5.9 million in FY08 through several partner organizations including Mercy Corps, World Vision, OXFAM, FAO, OCHA, and IOM for nonfood relief items such as blankets, feeding utensils, personal hygiene supplies, water and sanitation improvements, emergency medical supplies, logistics support, and protection and coordination mechanisms. We are prepared to rapidly respond with more assistance if the situation deteriorates further.

As part of its ongoing humanitarian effort, USAID also implements a \$26 million, HIV/AIDS prevention, care, and treatment program to help Zimbabwe fight one of the most severe HIV and AIDS epidemics in the world. Even as the general health of the population declines progress is being made, as HIV prevalence has declined from 24 percent in 2001 to 15.6 percent in 2007. Implemented through a variety of partner organizations, USAID's program elements include:

- Prevention of Mother to Child Transmission;
- Behavior Change Promotion;
- Antiretroviral Therapy (ART) Services;
- Commodity Logistics and Drug Procurement;
- Testing and Counseling;
- Palliative Care;

- Orphans and Other Vulnerable Children.

USAID efforts confront not only a huge disease burden, but also a badly deteriorated public health system. Thus, our programs are designed with intentional spillover effects to shore up overall systems within the public health sector, while we address specific HIV/AIDS-related needs.

Our NGO partners are the real heroes in the humanitarian sphere, as they struggle to maintain critical, life-saving assistance in spite of severe constraints. We want to express our deep appreciation and admiration for their excellent, unstinting efforts in meeting the critical needs of Zimbabweans, often at great risk of personal peril.

The restrictions on aid agency operations are prohibiting us from responding in typical ways. Without permission to access displaced and vulnerable populations, the humanitarian organizations are handicapped. To create the “humanitarian space” necessary for aid operations, we are working with other donors to encourage the U.N. to strengthen its efforts to press the Government of Zimbabwe to put a stop to the violence and open up humanitarian access. We are hopeful that these U.N. interventions—on behalf of the donor and humanitarian community—will soon bear fruit.

DEMOCRACY AND GOVERNANCE INITIATIVES

The U.S. Government seeks the restoration of truly representative democracy and responsible governance for Zimbabwe. To that end, USAID programs have focused on restoring the rule of law, protecting human rights, fostering good governance, enhancing citizen participation and consensus-building, expanding media communication, strengthening civil society and democratic institutions, promoting transparent elections and supporting citizen oversight of the electoral process.

USAID partners and programs provide technical assistance and other support to boost the capacity of nongovernmental actors and citizens to more actively participate in the debate on the future direction of the country. Within an extremely restrictive environment, these civil society actors are working to shape and strengthen democratic institutions in an effort to make them more responsive and accountable to Zimbabwean society.

Although sometimes overshadowed by the country’s continuing turmoil, USAID programs have made significant gains with civil society and the forces of democracy within Zimbabwe. In the historic March 29, 2008, poll—the first ever defeat for Mugabe and his ruling ZANU–PF—prodemocracy groups mobilized millions of Zimbabweans to “get out the vote,” leading to a remarkable expression of the people’s choice under the difficult conditions prevailing at that time in the country. The ruling party was not able to rig the elections outright in part due to a USAID-funded “parallel vote tabulation” (PVT) that released results of sample-based counting in a rapid and transparent manner. Despite the difficult country conditions, this initiative was one of the most successful such undertakings of this PVT technology practiced anywhere to date.

Legal and medical support to victims of state oppression, made possible largely through USAID assistance, have encouraged activists to continue pressing for democratic change. In addition, USAID supports programs that document human rights abuses, torture, and other crimes for future accountability and reconciliation.

Initiatives to inform and mobilize regional and international media and civil society groups have resulted in increasing condemnation and isolation of the discredited Mugabe regime. This pressure has garnered increased room for engagement with SADC and the African Union, and increased prospects for a negotiated solution to the crisis. These gains need to be protected and advanced with continued USG support.

USAID’S CONTINGENCY PLANNING

USAID stands ready with other donors to provide substantive development assistance to Zimbabwe once conditions permit. Such assistance would be premised on a new government which respects and demonstrates clear progress on the following common donor principles:

- Full and equal access to humanitarian assistance;
- Commitment to macroeconomic stabilization in accordance with guidance from relevant international agencies;
- Restoration of the rule of law, including enforcement of contracts, an independent judiciary, and respect for property rights;
- Commitment to the democratic process and respect for internationally accepted human rights standards, including a commitment to freedom of expression, free-

dom of print and broadcast media, freedom of assembly, and freedom of association;

- A commitment to timely elections held in accordance with international standards, and in the presence of international election observers.

With the support of Congress, upon the return of democracy, we will seek to invest in Zimbabwe so that it can begin its process of stabilization and recovery. Our staff and partners are ready to engage with a new, reform-minded government and other donors to build a comprehensive reconstruction program. A Multi-Donor Trust Fund, administered by the World Bank, is already completing analyses on various social and economic sectors to give us a collective, coordinated roadmap for reconstruction to discuss with a new democratic government.

However, if the violence does not stop, if aid organizations are not allowed to resume life-saving assistance, if widespread fighting escalates and forces mass population displacement, then the international community will be faced with a humanitarian disaster on a much larger scale than the serious situation which we already face.

With our partners and donors, USAID is simultaneously working to both prevent a worst case scenario while responding to immediate needs. We do not know which turn Zimbabwe will take in its tumultuous journey, but USAID stands ready to support the people of Zimbabwe in realizing their rightful aspirations for liberation from the current brutal and despotic regime and in the transition to a new, more just and prosperous society.

Mr. Chairman, this concludes my statement. I welcome any questions that you and other members of the committee may have.

Senator FEINGOLD. Thank you, Ms. Almquist.

We will begin with a 7-minute round, and for all the Senators here, if and when the vote starts, I will just briefly recess the committee until I run over and vote and come back.

Assistant Secretary Frazer, with the unfortunate veto by Russia and China of the U.N. Security Council resolution, how do you intend to generate support for an international arms embargo and multilateral sanctions against those responsible for these recent abuses? And what is the strategy moving forward to secure greater international pressure on Robert Mugabe, the individuals who are listed in the U.N. resolution, and more broadly, the relevant ZANU-PF?

Assistant Secretary FRAZER. Thank you, Senator.

Right now we are focused on the regional effort. We will continue to work very closely with the European Union on increasing our sanctions. We are looking at additional new sanctions, both in terms of on individuals and also on government entities as well, so moving beyond the targeted sanctions. We are working with European countries to do the same.

We are working with like-minded countries within Africa to increase their engagement with their subregional bodies, as well as with the African Union, to try to bring that additional pressure.

We will have to work at the Foreign Minister and head of state level in Asia. Right now we do not see a lot of interest on the part of China and, of course, Russia, but in general, in Asia or in the Middle East to have true international sanctions, but we think that the Zimbabwe Government has been oriented more toward the European Union economies. And so we—Africa, the United States, and Europe—can probably bring greater pressure.

Senator FEINGOLD. And then can you say more specifically about your particular efforts to engage African governments and secure their support? I mean, this is an area where there are some positive things, certainly the Zambian approach, Botswana approach, others. I understand the Angolan approach is more moderate and

helpful than it used to be. And then there would be other obvious relevant countries. But I fear that a perceived divide again between the West and regional leaders could undermine a coordinated response. So could you say a little bit more about that?

Assistant Secretary FRAZER. Yes. I do believe that there has been a bit of sea change in the attitudes of African governments, especially in the southern Africa region, where there are many more countries in SADC who are openly criticizing President Mugabe. And that is critically important to bring the necessary pressure. But across Africa, you have many countries, especially those like Sierra Leone and Liberia that have themselves gone through turmoil and civil war, publicly calling for the Mugabe Government to stop the violence and have a credible electoral process to prevent a decline into civil war. And even Nigeria, which had its own flawed election, is saying that they are trying to take responsibility for that flawed election through their legal process.

So I do think that there have been significant voices, and it matters for our policy because without the support, especially of the subregion, but of Africa as a whole, it is very difficult to mount the necessary pressure for a democratic transition in Zimbabwe.

Senator FEINGOLD. And I appreciate your reference to the sea change, which is largely in words, but it also has to be reflected, obviously, in actions. What actions do you think you can expect from these countries?

Assistant Secretary FRAZER. Well, the immediate issue are the transparency and the credibility of the negotiation process. I think we have all heard from the MDC that they would like that mediation to be broadened to include not only SADC, as led by President Mbeke, but also to have an African Union envoy included in the mediation. So I think that that is critically important.

There is expected to be a SADC extraordinary session on Thursday of this week. We will be watching with interest to see what decisions are taken out of that SADC session. But I believe that the mediation process is probably the focal point at this point.

Senator FEINGOLD. I understand that so-called talks about talks, as they are called, between ZANU-PF and the opposition, MDC, resumed in Pretoria last week and will continue in Harare tomorrow. What role is the United States playing and what role will we be playing in these talks in the weeks ahead? What specific contributions can we make to the ongoing mediation efforts?

Assistant Secretary FRAZER. Well, we certainly should play a role and can be very constructive. We are playing a role on the outside of the talks in the sense that, as I mentioned, we have been pushing for greater transparency. We are clearly in touch with the MDC. We are also in touch with the Foreign Ministers and regional leaders of SADC and the African Union. We have not been party to, or seen, any of the negotiating documents, which is actually quite rare in Africa in conflict mediation. Normally we would be more informed of the specifics of what is taking place.

So we have only heard from one side that in fact they are just talking about the conditions for holding talks. But we see in the South African media often the impression that there are more substantive discussions taking place, but we cannot confirm that. We certainly hope for greater transparency and for more engagement

of the international community in general, but most certainly of the United States.

Senator FEINGOLD. What are the options for broadening the current mediation to include SADC, AU, and/or U.N. representation? And talk about the prospects for each of those institutions to become more involved, what role they can best play in a coordinated mediation effort.

Assistant Secretary FRAZER. Well, the African Union in its resolution took a decision that the mediation should be strengthened, but they asked SADC to go back and look at how they can strengthen it. So the meeting that is planned for Thursday will be critical.

My expectation is it depends on the time line. If the South Africans are truly brokering a real agreement, i.e., substantive talks, which I do not believe is happening, but if that is happening, then there will not be an opportunity for really strengthening that mediation process.

But I think the feeling of everyone at the African Union, or as reflected in their resolution, is certainly the feeling of the G-8 when they also called for a strengthened mediation, and of the Security Council when it took its formal statement on Zimbabwe. And that is the need for a more permanent presence who can negotiate some type of transitional government or coalition government. For example, there might be a secretariat much like Kofi Annan's mediation in Zimbabwe where there is a dedicated person who stays in Harare and works with the parties through the negotiation. I think that that is the idea of both a strengthened and expanded mediation.

Senator FEINGOLD. I thank you very much.

Senator ISAKSON.

Senator ISAKSON. Thank you, Mr. Chairman.

Ms. Frazer, you were at the Sharm el-Sheikh meetings a couple of weeks ago?

Assistant Secretary FRAZER. Yes.

Senator ISAKSON. In your printed testimony, you say that although it was about water and sanitation, the most topic of conversation was Mugabe. Was Mugabe there?

Assistant Secretary FRAZER. Yes; he was.

Senator ISAKSON. So these were backroom conversations, not—

Assistant Secretary FRAZER. In the hall, back room, in their formal but closed door sessions, Zimbabwe featured very prominently, as well as in many of the bilateral meetings which were taking place.

Senator ISAKSON. What was the consensus of the comments?

Assistant Secretary FRAZER. Well, I think that the general consensus was that the June 27 election could not be considered credible, that it took place in an environment of intimidation and violence, that there is a crisis in Zimbabwe of a constitutional nature, and that there needed to be some type of negotiated outcome. The formal statement of the AU called for a government of national unity. People called it a government of national unity, a coalition government, a transitional government. So they did not define what the nature of that government would look like.

But clearly, there was no one who accepted the legitimacy that Robert Mugabe won the runoff election. There was no congratulation. There was no acknowledgement. There was rejection of his claim to having been a victor on June 27.

Senator ISAKSON. Actually the MDC candidate actually withdrew before the runoff. Is that not correct?

Assistant Secretary FRAZER. That is right.

Senator ISAKSON. And that was because of the fear and the violence and intimidation.

Assistant Secretary FRAZER. That is right. The violence against his supporters, the dismantlement of his election machinery.

Senator ISAKSON. They have a parliamentary form of government?

Assistant Secretary FRAZER. Yes.

Senator ISAKSON. What percent of the Parliamentarians are MDC?

Assistant Secretary FRAZER. The MDC now enjoys a majority of the members of Parliament after the March 29 election.

Senator ISAKSON. I notice Prime Minister Odinga of Kenya spoke out publicly. Has Mugabe's intimidation gone beyond his borders? Has there been any retribution against any of the leaders that have spoken out outside of Zimbabwe?

Assistant Secretary FRAZER. There was a bit of a diplomatic fray between Zimbabwe and Botswana in particular, but Mugabe made statements that were considered hostile to the neighboring countries who spoke out against him at the AU summit—Zambia, Botswana, and others. And so there is greater tension in the region, especially among the heads of state.

Senator ISAKSON. Given the action of China and Russia in the Security Council, is it fair to say they are enablers of Mugabe?

Assistant Secretary FRAZER. Most certainly they enabled Mugabe. By preventing us from putting an arms embargo on the government when the government is using violence against the population and when civil society across southern Africa rejected the shipment of Chinese arms, you would have thought that they would have learned a lesson.

Senator ISAKSON. Given that and given what has happened with the Chinese vis-a-vis Darfur, how do they talk about China in these conversations when you are at these meetings?

Assistant Secretary FRAZER. It is very mixed because many of them enjoy the loans that the Chinese are providing. They are seeking greater investment from China.

On the other hand, I think that many believe that they are enabling authoritarian governments. Certainly African civil society has expressed continuing concern about China's role.

I think that it is fair to say that China is finding its way in Africa, and I would, if I were advising, caution them that they should be on the side of the people of Africa. Obviously, supporting governments is important and necessary in their diplomatic relations, but they need to look at the Zimbabwean Government as one in which the people have largely rejected that leadership. A new day is coming in Zimbabwe, and China would want to be on the right side of the forces of democratic change.

Senator ISAKSON. What is Russia's interest? Is it economic?

Assistant Secretary FRAZER. Well, I would certainly say that for those who opposed the U.N. Security Council resolution, that we should follow the money. I would certainly say that.

Senator ISAKSON. That usually works.

Assistant Secretary FRAZER. But I am not sure of Russia because at the G-8 summit, the Russian President indicated his willingness to support further tougher measures against Zimbabwe, and then for Russia to veto the UNSC resolution, it was a bit of a whiplash for us. It is hard to explain.

Senator ISAKSON. Ms. Almquist, did I hear you correctly that the infection rate is 16 percent of citizens with AIDS?

Ms. ALMQUIST. There is a 16-percent prevalence rate, yes.

Senator ISAKSON. We are obviously talking about PEPFAR on the floor of the Senate today and the African AIDS program. Has our program been able to reach into Zimbabwe?

Ms. ALMQUIST. Oh, very much so. We have about an \$18-\$20 million PEPFAR program there providing some level of care for HIV-infected and AIDS population. And we are able to see some success with that.

It is a difficult environment to work in because of the general situation in the country and because we have to work with the Ministry of Health in order to carry out our PEPFAR programs. We work through partner organizations and we coordinate with the Ministry of Health. We think that there is much more that we can do, particularly if we succeed in getting a transition to a more reform-minded government, and we would hope very much to be able to scale up our assistance on HIV/AIDS in that case.

Senator ISAKSON. So the overall governmental situation may be somewhat of an inhibitor, but is Mugabe directly an inhibitor of the AIDS assistance?

Ms. ALMQUIST. In fact, the government suspended NGO activity, you may have heard, on June 4, and then subsequently clarified that they would permit NGO's to provide assistance for school feeding and for HIV clinics. And so we have an indication of support from Mugabe's government for those activities to go forward. Unfortunately, our partners have not felt that those instructions were communicated down through all the systems of government and that the space has not been there up till now to actually resume those activities.

We think that in the coming week or 2, some of our partners will begin trying to resume HIV-related feeding programs and school feeding programs and some of the activities in that regard. So it will be tested very quickly here to see if, in fact, there is space even now for those programs to go forward.

Senator ISAKSON. Thank you both.

Thank you, Mr. Chairman.

Senator FEINGOLD. Thank you.

We generally go on the basis of seniority on the subcommittee, but if you want to defer to Senator Kerry, it is fine with me.

Senator BILL NELSON. I will defer to you and ask you to do the same for me in future. [Laughter.]

**STATEMENT OF HON. JOHN F. KERRY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator KERRY. I will try to minimize those opportunities.

Thank you, and Mr. Chairman, thank you very much for convening this hearing. I would also like to thank our witness for coming here today.

Madam Secretary Frazer, it is great to see you again. I saw you in Sharm el-Sheikh and we had a good dinner and an opportunity to talk about all of these issues. I appreciate your efforts that you were making there. I know you were working hard to move toward a positive resolution with respect to Zimbabwe.

But I have to tell you, first of all, and share with my colleagues how disturbing it was to have Robert Mugabe at that conference. And then to watch some of the continent's leaders, including the host I might add regrettably, turn a kind of blind eye to Zimbabwe's agony except for the discussions that you described. And was there a lot of consternation? Yes. Was there a lot of back-room chatter? Yes. But when it came time to have the African Union respond, as I think and you think and many of us believe it should have responded, it did not. And that is the measure. That is the bottom-line test here.

I could not help but feel, as I thought about what is happening on the continent there and in other places, that there is a sense that the world has lost its capacity for appropriate outrage. Darfur and Zimbabwe are two of many widespread violations of the norms of decency across the globe. And the words are beginning to fall flat, big-time flat. And the actions are just not there.

For months now, Mugabe's thugs have been savaging opposition politicians and members of the opposition party and anyone else who dared to dream of a peaceful end to this reign of terror.

I was in South Africa last November and I was particularly surprised to hear the bitter comments from people in South Africa about their own President's inaction with respect to Zimbabwe and Mugabe.

During the last months, Zimbabwean villagers were literally handed bullets and told to choose between their lives and democracy. And in the process while the balloting was occurring, MDC believes that 113 of its supporters were killed, about 10,000 were injured, more than 2,000 unlawfully detained and over 200,000 fled their homes. And frankly, the details are much more horrifying than those statistics convey because, as we know, women were burned to death. Young men were tortured and dismembered. The elderly were savagely beaten, and Mugabe had the audacity to say to the world, "what do I care about an election? An 'X' on a ballot means nothing against the power of a gun."

And against all of this, where are we? Where is the world? I mean, where are we? China and Russia get to veto this and sort of walk away, and there is no outrage and indignity even at the U.N. I guess all of us would hope that Morgan Tsvangirai's bold move to step back and not continue his candidacy in order to save lives would have mobilized the continent and the world. But it did not.

And indeed, a day and a half after the outrage of this nonelection, Mugabe was allowed to walk in and walk around, albeit there

were comments about him. But that is the full extent of it. A verbal tongue-lashing is simply not enough.

On the plus side, at least Botswana, Tanzania, Zambia, Kenya, Angola, Liberia, and Sierra Leone's governments ended the conspiracy of silence that has surrounded such activities and they spoke out. But as you know, both SADC and the AU could do more.

So let us lay on the table at this committee today the administration's best judgments about exactly what it is going to take here and what the possibilities are.

Do you really see mediation changing this?

Assistant Secretary FRAZER. Can I answer that?

Senator KERRY. Yes.

Assistant Secretary FRAZER. It depends on the quality of mediation and it depends on whether the March 29 result is respected in terms of the nature of the government that would come out of the mediation. I would believe that a mediation that led to some type of transitional government that could then prepare for elections so that we could get back to a democratic path is the right way.

Senator KERRY. Why would mediation without adequate sanction leverage be able to do what the last election failed to do? Because Mugabe declared unequivocally that he will not give up power. If the world sort of walked away at the African Union and the world walked away on the election and he is sitting there with all the levers of power, why mediate?

Assistant Secretary FRAZER. Senator, the way I view it is that fundamentally we all agree that while the world has to pressure the Mugabe Government, the Zimbabwean people have to find a way ahead. And the fundamental problem here is that there is a leadership challenge within ZANU-PF. There is a succession problem. You have an old man clinging to power who refuses to move aside. This is a problem for his own party. And so part of it has to be his party has to deal with him.

Senator KERRY. Can you shed more light on that? I know there is this struggle, and we have been hearing reports about the divisions within ZANU-PF. How deep are those, and what are you reading into that? If the world, particularly South Africa, were to suddenly speak up and offer a bolder set of sanctions, does that not encourage such divisions and perhaps isolate Mugabe within his own party?

Assistant Secretary FRAZER. It does, indeed. In fact, his main base of support right now is with the security sector, his army, his police, intelligence officers, the air force. Those are the supporters of the status quo, not sort of more moderate political civilian leadership. And so there is a fundamental divide in the party.

The MDC itself is challenged with divisions. The MDC needs to stand strong for the will of the people and not just a seat in government.

Senator KERRY. My final question is, What are we able to do to hasten that, encourage that, leverage it, and make it happen?

Assistant Secretary FRAZER. We will continue to lead on the international stage, but we also have to push for greater leadership within SADC itself. SADC is now divided, and the balance of opinion in SADC is against the Mugabe government, but there are

many silent countries in SADC who are saying nothing while a few are fighting, some who were shielding Mugabe and others who were saying it is now time for him to be expelled from their council until there is a return to democracy. And so SADC's own house is problematic, but we are trying to push for those silent majority to also speak out.

Senator KERRY. Well, thank you, Madam Secretary, and I want to thank my good friend and colleague for his courtesy.

Thank you.

Senator FEINGOLD. Senator Nelson.

**STATEMENT OF HON. BILL NELSON,
U.S. SENATOR FROM FLORIDA**

Senator BILL NELSON. First of all, I want to compliment both of you that you are giving straight answers and they are to the point. That has not been the experience of this Senator with a lot of the administration witnesses in this committee, as well as my other committees. So, thank you.

Two weeks ago during the recess, in meeting with the government leaders in four southern Africa countries, I was struck, for example, with the President of Uganda and the President of Rwanda both basically punting the issue of Mugabe to the Southern African Development Community and basically punting to the Government of South Africa, whose leader is simply not putting the pressure on Mugabe.

So my question is they are about to have an election, and if the leadership shifts to the one that we think is going to be elected President, do we expect a change in tune of South Africa toward how Mbeke, the present President, has been coddling Mugabe in Zimbabwe? That is the question.

Assistant Secretary FRAZER. Senator, I am optimist, and so I am very hopeful that we can actually move toward a return to democracy before early 2009 when that election in South Africa happens. But you are quite right that the head of the ANC, Jacob Zuma, who is expected to be the next President, if he stands for election, has taken a tough stance on Mugabe. And the ANC as a party has taken a tough stance against ZANU-PF and has clearly said that it is now siding with MDC because MDC is siding with the people of Zimbabwe, and MDC is a party for change. And the people of Zimbabwe tried to elect that party on March 29. So, yes; we would expect a difference in policy between Jacob Zuma and the current mediation efforts of President Mbeke.

Senator BILL NELSON. I certainly hope so, and is it not interesting that Nelson Mandela has been very critical of the Zimbabwean regime, as has Bishop Tutu, and yet President Mbeke takes a different tune?

So when do you think that election—when is there going to be a change that Zuma possibly could take over, and do we have to wait that long? Are we really looking at that?

Assistant Secretary FRAZER. The South African election is in March 2009.

As I said, I think that we can have a change in Zimbabwe sooner than that, and I think that we need to expand the mediation. I think that we can clearly get there. Part of it is ZANU-PF, as I

mentioned to Senator Kerry, dealing with its own internal party struggles, their succession problems, but I definitely think that expanded, more transparent, credible mediation can bring Zimbabwe to a path of democratic change.

Senator BILL NELSON. Well, I hope so.

Now, let me point out another inconsistency. The Senator from Georgia just mentioned this very strong statement by the new Prime Minister of Kenya, Odinga. That occurred at the time that I held a joint press conference with him. Rather, he held the press conference and had me as part of it. And that was one of the questions to both of us. And I am telling you he did not spare anything. He let loose. And that was at the time that this African Union meeting was going on in Sharm el-Sheikh, and his President, lo and behold, did not say a word. So right there in a coalition Government in Kenya, you would think that there is a split on the idea of what to do with Zimbabwe. Tell us about that.

Assistant Secretary FRAZER. I am not sure that there is a split in terms of the substance of a policy toward Zimbabwe. I think the Kenyans are still working out the power-sharing arrangement and who gives instructions to the Foreign Minister between the President and the Prime Minister. So I think that that is a bit of an internal process working its way out. I do not think this is a substantive problem; I do not think anyone has tried to roll back the Prime Minister's statements on Zimbabwe. So I think that they are unified on policy.

Senator BILL NELSON. That is good to hear.

Did you see this Reuter's story, out right now, "Zimbabwe's Christian Churches Reject Mugabe Victory"?

Assistant Secretary FRAZER. Yes, Senator; I did see the story.

Senator BILL NELSON. So, they have got enough courage to stand up and say that even with his goons running around.

Assistant Secretary FRAZER. Well, I think that that is the point. Civil society across Africa, in Zimbabwe, in the southern African region, in South Africa itself, across the entire continent are speaking out very clearly. There was a petition, as such, in the Financial Times with former heads of state, prominent civil society leaders across Africa, saying that it is unacceptable what is taking place in Zimbabwe. And so I do think that we are in a very different position than we were just a year ago.

Senator BILL NELSON. Normally they would darken the lights when my time was up, but I still have 37 seconds left to go. Well, since the mike is still on, let me—let there be light. [Laughter.]

Senator KERRY. It is the cost of fuel. [Laughter.]

Senator BILL NELSON. My last comment is again a compliment to you all. Well, interesting, the lights turn on when I am ready to make a compliment to you. [Laughter.]

Senator BILL NELSON. And that is, you know, I have been a lot of places on Planet Earth and the Government policies of the United States Government are not held in high esteem by the people in other countries, but there is a notable exception in Africa. And that is in large part because of the success of PEPFAR and the success of USAID in the feeding program that has to go hand in glove with the PEPFAR program.

As a matter of fact, in Kenya, representatives from across the board, government and business, told me that they think that America's favorability rating is upward in the 1980s, of which I made a crack. If a certain person is elected President, I expect it will probably be in Kenya 99.9 percent.

However, even in a country like Tanzania, our Ambassador, who is a political appointee but is doing a very good job, said that he thinks that the favorability because, in large part, of PEPFAR is upward of 60 percent toward America in that country.

So I pass along that compliment to you.

Thank you, Mr. Chairman.

Senator FEINGOLD. Thank you, Senator Nelson.

We will start a second round.

Ms. Frazer, I would like to ask you to talk about the U.S. sanctions on Zimbabwe. I had hoped we would hear from Treasury on this, but they were apparently unable to send a representative.

Give me your assessment of the effectiveness of our current sanctions regime, how much money has been frozen, where are the gaps, and how can these sanctions be more effective.

Assistant Secretary FRAZER. Thank you, Senator.

I think that our sanctions regime is fairly robust. We have two types of sanctions on Zimbabwe, financial restrictions against individuals who are supporting the policies of Mugabe to undermine democratic institutions and processes in Zimbabwe. And those sanctions are against 135 people and 30 corporate entities. We also have travel restrictions on individuals who are undermining democracy in Zimbabwe. This includes members of Mugabe's inner circle and broader members of the government and some of their family members.

We are looking to expand the category of Zimbabweans who are covered. We are also looking at sanctions on government entities as well, not just individuals.

I cannot tell you how much money has been blocked. I think Treasury really has that expertise, and OFAC in particular would be able to answer that question. But I do know that any individuals who were carrying out financial transactions with Zimbabwe would be fined up to \$500,000 for corporations and \$250,000 for individuals. So there are fairly hefty sanctions.

Also, it is a signal to international financial institutions not to do business with those on OFAC's list. Our banks are not allowed to do business with them, but other banks also look at that same list and decide on their own not to do so.

Senator FEINGOLD. And specifically about investment in mining in Zimbabwe, 2 weeks ago the media reported that some British-based mining firms are actually increasing investment in Zimbabwe which either directly or indirectly benefits the Mugabe regime. What steps is the United States taking to reverse this trend and will the proposed EU sanctions effectively regulate this investment?

Assistant Secretary FRAZER. OFAC and Treasury, under Treasury's direction, are looking into this very issue, and we are certainly considering in our next round of sanctions, which we are preparing now, to have an impact on any such investments.

Senator FEINGOLD. State Department officials have said publicly that we do not recognize the outcome of the June 27 runoff election and thereby do not recognize the Mugabe government. What tools exist to formalize that nonrecognition, and would they be helpful?

Assistant Secretary FRAZER. We consider the outcome of that election as illegitimate, and so we will not accept the legitimacy of Robert Mugabe on the basis of that election. Our lawyers, however, are looking at issues of recognition and nonrecognition and the impact that nonrecognition would have on our ability to carry out our policy in Zimbabwe. And so we have not taken any decision as far as formal government recognition, but we have been very clear that the election itself was illegitimate and therefore has led to a constitutional crisis within Zimbabwe that needs resolution in favor of democracy.

Senator FEINGOLD. Now, when the Taliban came to power in Afghanistan in the 1990s, the Clinton administration announced that it would not recognize the regime. The State Department even ordered the Afghan Embassy here in Washington, DC, to be shut down in 1997.

Do you think such high-level statements from the White House or diplomatic actions, such as revoking the credentials of the Zimbabwean ambassador to the United States would be helpful?

Assistant Secretary FRAZER. Again, I think that we are clearly looking at all of these options, but I think that we do not want to do anything that prevents our ability to support the people of Zimbabwe. So our direct engagement is going to be necessary, and so we are trying to look very carefully at how options of recognition, nonrecognition, recalling our ambassador, revoking the Zimbabwe ambassador's credentials would do on our ability to operate.

Senator FEINGOLD. I hope it is understood that these options are at least being considered.

Assistant Secretary FRAZER. Yes.

Senator FEINGOLD. Ms. Almqvist, there has been substantial increase in U.S. humanitarian assistance to Zimbabwe in the last 2 years. Can you tell me specifically where that increased assistance is being directed and how would you assess its effectiveness?

Ms. ALMQUIST. Yes. Last year we provided 72 percent of all food assistance to Zimbabwe. In years prior to that, we were about 40 percent of the total food aid for the country. This year already, in fiscal year 2008, we have provided \$120 million in humanitarian assistance. Approximately \$114 million of that is food assistance, and about \$6 million is in nonfood assistance.

Our support is for the most vulnerable and affected by the current political crisis and the economic deterioration in the country. We are concerned with mobile and vulnerable populations. We are concerned with school feeding with programs that complement our HIV/AIDS programs, et cetera.

So when our partners can work, we think our assistance is very effective. It does not go through the government. It is handled by NGO partners and U.N. agencies. And so we have a high degree of confidence, when they can work, that it gets to needy populations. Right now, they cannot work, and so our concern for the humanitarian situation is growing daily.

Senator FEINGOLD. The State Department congressional budget justification has said that if a change in government does not take place in 2008, increased aid resources should be directed towards supporting opposition efforts to press for reforms. I would like to know what would this increase consist of and how is USAID currently working with the opposition, MDC, to strengthen that political party.

Ms. ALMQUIST. We have our democracy and governance program that is outside of humanitarian assistance, and PEPFAR, our largest sector of support, in Zimbabwe. In fact, we feel that most other areas of development assistance are too problematic at this point to engage. If we had a transition to a reform-minded government of some sort, we would further strengthen our democracy and governance programs.

We are working right now on democratic political processes. We are supporting democratic political parties, which is primarily the MDC, of course, and institutions of governance. We have provided critical support to the elections for March 29 in particular, the Zimbabwe Elections Support Network and the parallel vote tabulation, which allowed us and the world to know that Morgan Tsvangirai did outstrip Mr. Mugabe in that election.

We have U.S. support for civil society organizations. Right now, we have been supporting about 25 organizations. We will probably move to narrow our focus a bit on those organizations which can particularly work and operate in rural areas because we think that is the most critical going forward, to increase the demand for accountability for responsible governance, to work on civic participation in legislative processes.

We are also working on parliamentary strengthening. As the Assistant Secretary mentioned, the MDC did win a majority of seats in the Parliament. So there are many new Parliamentarians for training, as well as the engagement of civil society in parliament.

And then last, we are working on free and independent media. USAID provides support to VOA programming and broadcasts, which are critical for transmitting independently information about what is happening in the country, as well as supporting local township-level newspapers and training for journalists.

We are also providing support for victims of the politically motivated violence in terms of legal assistance, psychosocial support, and medical care, and also for documenting the human rights abuses that are taking place.

So we will continue to do those activities in the current environment. If there is a move and a transitional government that we can engage with much more broadly, then we will work on the issues of constitutional reform, electoral reform, restoring democratic institutions of governance in terms of our democracy and governance program, and we will also focus on economic stabilization and recovery with complementary humanitarian support in the meantime, and then expanding our health programs to complement the current HIV/AIDS work but much more broadly work on the health care system which is literally falling apart right now.

Senator FEINGOLD. Thank you.

A vote has started. So to allow Senators to vote, we will briefly recess and return to this panel.

[Recess.]

Senator FEINGOLD. We will call the committee back to order, and since the Senators were satisfied with the opportunity to ask questions, I want to thank the first panel again for all their responses and their testimony.

And now we will go to the second panel. Thank you for joining us. Let us begin with Mr. Melia.

**STATEMENT OF THOMAS O. MELIA, DEPUTY EXECUTIVE
DIRECTOR, FREEDOM HOUSE, WASHINGTON, DC**

Mr. MELIA. Thank you, Mr. Chairman Feingold. Thank you for asking Freedom House to testify today.

My remarks are based on my personal observations from a recent visit to Harare just before the March 29 elections and frequent communication that my colleagues and I have had with civil society partners in Zimbabwe over the last 2 and a half years.

When Ms. Almquist was talking about the large USAID-supported effort to strengthen civil society in Zimbabwe, she was talking largely about a program that we have been implementing these last 2 and a half years. In fact, in the month leading up to the March 29 election, we transferred about \$750,000 worth of grants and material assistance to an array of 25 or so civic groups that were mobilizing people to get out the vote and to monitor those elections. That assistance included things like satellite phones to communicate results from polling stations and bicycles for the observers to get out to those polling stations.

I also want to begin by thanking you, Senator, for your leadership on the Zimbabwe issue. A lot of us in human rights community appreciate your efforts in this regard. And I want to thank you especially for meeting recently with several Zimbabweans that were in town with us and you took time out of your schedule to meet with them and listen to their story from Zimbabwe.

With all that is going on in the world, Sudan and elsewhere, the subcommittee is correct to focus special attention on Zimbabwe today for at least these four reasons.

The humanitarian situation in Zimbabwe is catastrophic and deteriorating daily. We have recited some of those statistics already today. I will not review them again. But it is clear that every day that Robert Mugabe remains at the helm is a day that Zimbabwe sinks noticeably deeper into the quagmire of hunger, disease, economic collapse, and the ruination of future generations.

Second, the violent assault on the people of Zimbabwe, the country's constitution, and its electoral process by the Joint Operations Command in the implementation of the June 27 runoff constitutes a coup d'etat. This should already have led to Zimbabwe's suspension from the African Union and the invocation by the U.S. of section 608, as it is now called, in the foreign aid appropriation, the standard provision in U.S. foreign aid law that requires a cutoff of aid to any government installed by a coup.

We all read the story in the Washington Post on July 5 by Craig Timberg describing the Joint Operations Command's military style plan to extinguish the opposition, code named CIBD for coercion, intimidation, beating, displacement.

Now, the African Union's Charter on Democracy, Elections and Governance, adopted just last year in January 2007, makes clear that—and I am quoting now—“any refusal by an incumbent government to relinquish power to the winning party or candidate after free, fair and regular elections” belongs in the same category as a “putsche or coup d'etat” or intervention by “mercenaries, armed rebels or dissidents.” In consequence, according to the AU's own charter, as soon as the Peace and Security Council of the AU would observe that there has been such a change in government in a state party, it shall suspend the state party immediately.

While one can discuss how fair and regular were the elections in Zimbabwe, due to the behavior of the government, it is clear that the will of the people was expressed on March 29 and is well known to the world. Neither Robert Mugabe nor ZANU–PF speaks any longer for the majority of the people of Zimbabwe.

Third, the established institutions of the global international order are being directly challenged at present by this coup d'etat and the acquiescence in that coup by key global actors, including the Governments of South Africa, China, and Russia. Last Friday's double veto of a U.N. Security Council resolution reflects the growing antidemocratic assertiveness that we have seen on the part of the Governments of both Russia and China and the increasingly active global campaign they wage to lower the standards on human rights and democracy in international forums.

Senator Isakson asked earlier about the Russian Government's motivation in all this. The Russian Foreign Ministry made it clear in a statement it issued on Saturday that Moscow's veto on Friday should be understood not only as a “principled position on Zimbabwe,” but that it was also intended to be read much more broadly. The Russian statement said that “the adoption of this document by the U.N. Security Council would have set a dangerous precedent, opening the way to the Security Council interfering in countries' internal affairs over various political events, including elections.”

Now, while Friday's failure of the Security Council to act is an indicator of the deterioration of the ability of the U.N. to serve as a bulwark of democracy and human rights, we think that there are some other hopeful signs at present related to this situation.

The decline in U.S. influence in these global institutions stems in equal measure from the present administration's policy of estrangement from the U.N., which has dissipated our country's ability to shape outcomes, also by the fecklessness of too many other democratic states who are not willing to confront bad behavior by their neighbors, and by the growing confidence and effectiveness of the world's dictators in seizing control of these bodies. So that while the American posture on Zimbabwe has generally been quite admirable, as President Bush and the Congress alike have stepped up to the challenge with unequivocal statements, making plans for the massive infusion of aid immediately upon the establishment of a legitimate government in Harare, it is clear that the U.S. has lost its ability to lead the Security Council to adopt even minimal sanctions against a regime as odious as the now illegitimate Government of Zimbabwe.

Now, at the same time, the disarray on Zimbabwe within the African Union and SADC is a promising development. Just as inaction in one body at the global level is a bad sign, inaction in the regional and subregional institutions is actually a promising development because it marks an end to that conspiracy of silence that Senator Kerry spoke about a little while ago.

Important African voices have been speaking out on the problem in Zimbabwe. For the first time ever, a SADC election observer delegation concluded that the elections did not represent the will of the people. And led by the President of Zambia, Dr. Mwanawasa, a growing chorus of African heads of state have spoken out in more and more compelling terms over the last few weeks. This is important and significant.

The rising tide of African support for a democratic outcome in Zimbabwe, along with the rejection of the results of June 27, should be as unsurprising as it is significant, and it is significant. It has implications beyond the present moment in Zimbabwe and may signal a renewed and genuine commitment to democratic norms in sub-Saharan Africa, a region that has, at least in its formal multilateral politics, hitherto rarely been outspoken on such matters.

In the back of the printed testimony that you have before you, you will see two charts. There is a table that shows the overall average score of freedom in Africa rising gradually and steadily over the last 25 years, which contrasts with the decline during much of the same period by Zimbabwe where the scores have declined from a high of 3 on political rights and a 4 on civil liberties to the point where in the last year Zimbabwe has joined the ranks of the world's most repressive regimes.

What can we do? I will just say very briefly in conclusion that I would recommend six steps.

Support a transition government in Zimbabwe rather than a government of national unity.

No. 2, support the MDC for as long as they speak for the people of Zimbabwe. As Michelle Gavin, who is sitting next to me, has written recently, focus on Zimbabwe's people and not merely on the prominent political actors of the day.

Third, support Zimbabwean civil society. Both Secretary Frazer and Ms. Almquist spoke to this in their presentations. Today in Harare there is being convened a national civil society consultative conference with a score or more of major Zimbabwean civic groups discussing how they can play a constructive role in effecting a transition arrangement to move toward a democratic regime in Zimbabwe, and USAID and the State Department should continue to support those efforts as they have up to this point.

The United States should be poised to assist the transition government. You noted this earlier, Chairman Feingold. The administration has done well to request \$45 million in funding to assist in the rehabilitation of Zimbabwe once a legitimate government comes into office. It is not too soon to convene expert groups to begin planning that transition, and that does not need to wait for the transition itself.

Finally, I would say support and reward the African leadership on this transition. A lot has been discussed here already about

those brave African leaders who are stepping forward. The State Department and even the Congress in its dealings with African counterparts can provide tangible and intangible rewards for the African leadership on these issues, meeting with them, bringing them to the White House, bringing them to the Capitol Building, making them welcome, treating them like friends and democratic allies, as well as by providing additional aid and cooperation to those governments that are stepping up and trying to change the tenor of intra-African politics.

I will be glad to respond to other questions. Thank you for this opportunity.

[The prepared statement of Mr. Melia follows:]

PREPARED STATEMENT OF THOMAS O. MELIA, DEPUTY EXECUTIVE DIRECTOR,
FREEDOM HOUSE, WASHINGTON, DC

Chairman Feingold, Senator Isakson, other distinguished members of the Senate Subcommittee on African Affairs, thank you for inviting Freedom House to testify at today's hearing on the "Crisis in Zimbabwe and Prospects for Resolution."

I am pleased to represent Freedom House here today. My remarks are based on personal observations from a recent visit to Harare, in the week prior to the March 29 elections; the frequent communication my colleagues and I have had on a near-daily basis with Zimbabwean civil society activists with whom we have partnered for 2½ years in efforts to enable the people of Zimbabwe to use peaceful political processes to effect positive change in the governance of the country; and the historical perspective provided by Freedom House's annual assessments of the state of political rights and civil liberties since prior to Zimbabwe's independence in 1980. While our analytic work on Zimbabwe is funded from private sources, I would note that our program work in Zimbabwe has been funded since 2005 by grants from the U.S. Agency for International Development, and by complementary grants from the Australian Agency for International Assistance (AUSAID) and the British Government.

Senator Feingold, I want to begin by commending you for your leadership in seeking to foster democratic change for the people of Zimbabwe. Your tireless efforts, particularly in strategically communicating to countries throughout the AU, have helped to chip away at this considerable problem. The sense-of-the-Senate resolution that you and Senator Isakson shepherded to passage yesterday makes clear that the United States should support the Zimbabwean people and African diplomatic efforts to resolve the crisis in Zimbabwe, while also making clear that the U.S. should play a proactive role in facilitating. I am sure I speak for many colleagues in the human rights community when I say we appreciate very much your leadership on Zimbabwe.

There are certainly other important, compelling crises in the world that cry out for our attention, even in Africa (as we are reminded by the arrest warrant that was requested yesterday by the chief prosecutor of the International Criminal Court against President Umar al-Bashir of Sudan, for the genocidal atrocities being waged by his government against the people of Dafur).

Yet the subcommittee is correct to focus special attention on Zimbabwe today for at least these four reasons:

The humanitarian situation in Zimbabwe is catastrophic and is deteriorating daily. Three socio-political indicators sum up the devastation wrought by the ZANU-PF government led by Robert Mugabe: The nation's currency has become worthless, with inflation now running at an annual rate of 10 million percent and banknotes legally expire 6 months after they are printed; more than one-fifth of the country's population has fled to neighboring countries in the past 3 years; and the current life-expectancy of a male born in Zimbabwe is 33 years, one of the shortest in the world today (and down from 57 years in 1990). These are horrific statistics that speak to the urgent need for a new direction for this once prosperous nation of 12 million people.

Last weekend brought an additional, telling data point: According to Saturday's edition of *The Standard* (of Zimbabwe), "more than 80 percent of the country's bakers have temporarily closed shop as flour shortages take a toll on the battered industry." International humanitarian assistance has been disrupted and blocked by the government in Harare, which last month has banned most international aid organizations from fulfilling their missions in Zimbabwe, leading to the destruction of

millions of tons of food aid and the cutoff of medical assistance to as many as one-third of the country's population. Every day Robert Mugabe remains at the helm is a day Zimbabwe sinks noticeably deeper into the quagmire of hunger, spreading disease, economic collapse and the ruination of future generations.

The violent assault on the people of Zimbabwe, the country's constitution and its electoral process by the Joint Operations Command in the implementation of the June 27 runoff election for the Presidency constitutes a coup d'état. This should already have led to Zimbabwe's suspension from the African Union and the invocation by the U.S. of section 608 of P.L. 110-161, the standard provision in U.S. foreign aid appropriations requiring a cutoff of aid to any government installed by a coup. As reported in the Washington Post by Craig Timberg on July 5, the leadership of the Joint Operations Command designed and implemented a military-style plan to extinguish the opposition, code named "CIBD" for "Coercion, Intimidation, Beating, Displacement." While the U.S. is not currently providing any assistance to the Government of Zimbabwe, the formal invocation would make clear the American view of the illegality of Mugabe's hasty inauguration on June 28. The African Union's Charter on Democracy, Elections and Governance, adopted in January 2007, makes clear—in Chapter 8, concerning "Sanctions in Case of Unconstitutional Changes in Government," in Article 23—that "[a]ny refusal by an incumbent government to relinquish power to the winning party or candidate after free, fair and regular elections," belongs in the same category as a "putsche or coup d'état" or intervention by "mercenaries, . . . armed rebels or dissidents . . ." In consequence, according to the AU's Charter on Democracy, Elections and Governance, as soon as the Peace and Security Council of the AU "observes" that there has been an unconstitutional change in government in a State Party, it shall suspend the State Party "immediately." While one can discuss how "free, fair and regular" were the elections in Zimbabwe, due to the depredations of the government, the will of the people was expressed on March 29 and is well known to the world. Neither Robert Mugabe nor ZANU-PF speaks any longer for the majority of the people of Zimbabwe.

The established institutions of the global international order are being directly challenged by this coup d'état and the acquiescence in that coup by key global actors, including the Governments of South Africa, China, and Russia. Last Friday's double veto of a U.N. Security Council resolution made clear that the international community is simply not able to respond in a serious manner to one of the crudest campaigns against the will of a nation's people the world has seen in some time. The resolution would have imposed global arms sanctions on Zimbabwe, and travel and financial restrictions on 14 senior regime officials with the bloodiest hands. The resolution secured the necessary majority of 9 out of 15 states to be adopted, but was defeated by vetoes from China and Russia, while Libya and Vietnam also voted with South Africa against the measure. These vetoes reflect the growing antidemocratic assertiveness that we have seen on the part of the governments of both Russia and China, and the increasingly active global campaign they wage to lower the standards on human rights and democracy as addressed in international forums.

The Russian Foreign Ministry made it clear that Moscow's veto on Friday should be understood not only as a "principled position on Zimbabwe," but that it was also intended to be read much more broadly. "[T]he adoption of this document by the U.N. Security Council would have set a dangerous precedent," said the statement released by the Russian Foreign Ministry on July 12, "opening the way to the Security Council interfering in countries' internal affairs over various political events, including elections . . ." China is the principal supplier of military equipment to Zimbabwe's Government, and so may have cast its veto as much to sustain its export position as to make a comparable statement of diplomatic philosophy. The Government of South Africa, on the other hand, added another sordid act to its dismal record on the suffering of Zimbabwe's people—and presumably has made its peace with the fact that it clearly does not deserve to be considered a permanent member of the Security Council.

Friday's failure of the Security Council to act is an indicator of the deterioration in the ability of United Nations institutions to serve as bulwarks of democratic ideals and human rights standards in the present age of authoritarian assertiveness. The U.N.'s Human Rights Council has similarly declined to take up Zimbabwe's deteriorating situation. We at Freedom House believe that the decline in U.S. influence in these global institutions stems in equal measure from the present administration's policy of estrangement from the U.N., which has dissipated our country's ability to shape outcomes; the fecklessness of too many other democratic states who are not willing to confront bad behavior by their neighbors (especially in the absence of the United States from these battles); and the growing confidence and effectiveness of the world's dictatorships in seizing control of these bodies.

The American posture on Zimbabwe has generally been quite admirable, as President Bush and the U.S. Congress have stepped up to the challenge with unequivocal statements and by making plans for a massive infusion of aid immediately upon the establishment of a legitimate government in Harare, and by proposing to tighten the targeted sanctions against key members of the regime. But it is clear that the U.S. has lost its ability to lead the Security Council to adopt even minimal sanctions against a regime as odious as the illegitimate Government of Zimbabwe, whose policies are clearly destabilizing the southern African region through the displacement of millions and the impoverishment of an entire nation.

Disarray on Zimbabwe in the African Union and the Southern African Development Community is a promising development. While the double veto in the Security Council underscored the demise of democratic sensibilities in that venue, the fracturing of consensus in African regional and subregional organizations is a positive and hopeful sign. Even though Mr. Mugabe was permitted to attend the recent African Union summit in Egypt in the immediate aftermath of the coup on June 27, the cold welcome and the numerous critical statements that were made by African heads of state and government, both in private and public, speaks to the emergence of a stronger democratic sensibility in sub-Saharan Africa. Important African voices have been speaking out, with clarity and forcefulness, on the problem in Zimbabwe and the need for the region to respect the will of that country's people, rather than to tolerate the descent into darkness of Mugabe's Zimbabwe.

For the first time ever, a SADC election observer delegation concluded, following Zimbabwe's June 27 debacle, that "the elections did not represent the will of the people." Led by the courageous President of Zambia, Dr. Levy Mwanawasa, a growing chorus of African heads of government has over the course of the past few weeks spoken out in ever more vociferous terms. Dr. Mwanawasa, the SADC chairman, said before the June 27 runoff, "What is happening in Zimbabwe is a matter of serious embarrassment to all of us. It is scandalous for the SADC to remain silent in the light of what is happening." U.N. Deputy Secretary General Asha-Rose Migiro, the former Foreign Minister of Tanzania, said "When an election is conducted in an atmosphere of fear and violence, its outcome cannot have a legitimacy that is built on the will of the people." She told the Security Council, as she briefed the 15-member body on the recent African Union summit in Sharm el-Sheikh, "the principle of democracy is at stake," and that, in the case of Zimbabwe, "flawed elections produced illegitimate results." The President of Liberia, Ellen Johnson Sirleaf, the President of Ghana, John Kufuor, and leaders in Botswana, Kenya, Nigeria, Sierra Leone, Senegal, have all made clear that the political process in Zimbabwe is not acceptable.

Leading voices in South Africa, from Nelson Mandela to ANC chair Jacob Zuma, have distanced themselves from the approach being pursued by the current President of South Africa, Thabo Mbeki. The leadership demonstrated by respected African figures outside of governing circles, such as Archbishop Desmond Tutu, who said that South Africa had "failed its Apartheid-era friends," has inspired others to speak out forcefully. Reverend Mpho Moruakgomo of the Botswana Council of Churches stated, "What has happened in Zimbabwe is a slap in the face to all humanity. It is regrettable that a democracy so hard won, for which so many died, has been allowed to be desecrated by one egotist and his military junta."

Note in contrast, outlying statements such as that of the head of state of The Gambia, President Alhaji Dr Yahya Jammeh, who has given the June 27 Presidential election runoff in Zimbabwe a clean bill of health, saying "Zimbabwe's election is valid." President Jammeh, of course, came to power in July 1994, at the age of 29, as the leader of a coup that ended three decades of peaceful and largely fair elections in his country. Though still a young man, Jammeh's is the view of the "old Africa," now being replaced in more and more countries by the "new Africa" that is based increasingly, if not yet entirely, on respect for the rule of law and the will of the people.

While headlines about misrule in Sudan, Somalia, and Zimbabwe may obscure the truth, the fact is that Africa is becoming more democratic over time, more respectful of civil liberties and political rights. The rising tide of African support for a democratic outcome in Zimbabwe, along with rejection of the results of June 27, is therefore as unsurprising as it is significant. It has implications beyond the present moment in Zimbabwe, and may signal a renewed and genuine commitment to democratic norms in sub-Saharan Africa—a region that, at least in its formal multilateral politics, has hitherto rarely been outspoken on such matters. It is not only because the situation in Zimbabwe is so egregious that so many African leaders are speaking out and calling for international action. It is because the democratic character of sub-Saharan Africa is improving. Even as Zimbabwe's freedom scores have steadily

declined over the past two and one-half decades, the continental average has gradually moved upward.

I enclose two charts summarizing data from the Freedom House annual survey, *Freedom in the World*. Note (in Figure 1) that the overall average score for Africa has moved, since 1990, from a rather low score of 6 (on a scale from 1 to 7, where 7 is the lowest) in political rights, to 4.2 in 2008. Civil liberties scores have improved in the same period overall from 5.3 to 4. This is not only hopeful; it constitutes significant change that affects the quality of life for ordinary men and women across the continent.

Zimbabwe, on the other hand, achieved its highest levels of freedom in 1981, receiving a 3 for political rights and a 4 for civil liberties. Since that year (as Figure 2 conveys), freedom in Zimbabwe has steadily declined and finally fell into the “Not Free” category of our rankings in 2001 following the fundamentally flawed elections in June 2000 and the initiation of government seizures of white-owned farmland. Zimbabwe then joined the ranks of “The World’s Most Repressive Regimes” in 2005.

The ruling party, ZANU–PF, has made a mockery of every election since the Movement for Democratic Change was created in 1999 and waged a successful campaign to reject the 2000 draft constitution that aimed to expand executive power.

In fact, Zimbabweans today are denied just about every single fundamental political and civil right:

Freedom of expression is severely curtailed through a Draconian legal framework that includes the Access to Information and Protection of Privacy Act (AIPPA), the Official Secrets Act, the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act. Journalists are routinely subjected to verbal intimidation, physical attacks, arrest and detention, and financial pressure by the police and supporters of the ruling party. Foreign journalists are rarely granted visas, and local correspondents for foreign publications have been refused accreditation or threatened with lawsuits and deportation.

Academic freedom is limited. All schools are under state control, and education aid is often distributed based on parents’ political loyalties. Security forces and ZANU–PF thugs harass dissident university students, who have been arrested or expelled for protesting against government policy. In 2007, several protests by university students resulted in arrests and beatings; police closed the University of Zimbabwe in July.

Freedom of Association is strongly impeded. The 2004 Non-Governmental Organizations Act explicitly prohibits groups that “promote and protect human rights” from receiving foreign funding. Public demonstrations and protests are severely restricted under the 2002 Public Order and Security Act (POSA), which requires police permission to hold public meetings and demonstrations. Such meetings are often deemed illegal and broken up, and participants are subject to arbitrary arrest by security forces (including intelligence officers) and attacks by ZANU–PF militias. The POSA also allows police to impose arbitrary curfews and forbids criticism of the President. The right to collective labor action is limited under the Labor Relations Act, which allows the government to veto collective bargaining agreements that it deems harmful to the economy.

Rule of Law does not function. While some courts, thanks to courageous and clear-minded magistrates and judges, have struck down or disputed government actions, increasing pressure by the regime has substantially eroded the judiciary’s capacity to act independently. The government has repeatedly refused to enforce court orders and has replaced senior judges or pressured them to resign by stating that it could not guarantee their security. Security and military forces abuse citizens with impunity. War veterans and ZANU–PF militias—including the youth militia—operate as de facto enforcers of government policies and have committed human rights abuses such as assault, torture, rape, extralegal evictions, and extralegal executions without fear of punishment.

And the list goes on and on.

The levels of violence and intimidation reached new heights of barbarity leading up to the June 27 runoff election, with nearly 90 opposition members and supporters dead and thousands harassed, tortured, and displaced. Techniques used to terrorize supporters of the opposition have included dismemberment and mutilation of limbs and genitals. This was done to a population already reeling from massive food shortages and a collapse of the health care system that has left one in four Zimbabweans HIV positive. Moreover, now that Mugabe has once again falsely claimed the Presidency, the violence against opposition has continued unabated with over 1,500 MDC supporters still in detention around the country.

So, what is to be done by the United States? What can be done? There are six things I would suggest to inform U.S. policy in the period immediately ahead.

1. *Support a transition government in Zimbabwe rather than a government of national unity.* While the distinction may seem merely semantic, it is critical in the present context. To oblige the people of the MDC to enter into a forced marriage with those who have so severely abused them would be to prolong the agony of Zimbabwe's suffering. A coalition based upon a genuine national election would be something for political leaders to negotiate later. But until that moment arrives, the international community would be better advised to work toward the installation of an interim government focused on a real transition to democracy than to paper over differences.

2. *Support the MDC, for as long as they speak for Zimbabwe.* As Michelle Gavin of the Council on Foreign Relations has memorably written recently, in the *Christian Science Monitor* of July 9, "focus on Zimbabwe's people," and not merely on the prominent political actors of the moment. Without meaning any disrespect for the brave men and women of the MDC, and their courageous leaders, Morgan Tsvangirai and Tendai Biti, who have endured arrest, harassment, and beatings, the focus should be less on their installation in office than on the fundamental rights of the people of Zimbabwe to choose who shall govern. At present, the closest gauge we have of the sentiments of the people of Zimbabwe is that Mr. Tsvangirai and his allies in the parliamentary elections secured the largest number of votes and should be considered the legitimate spokespersons for the people of Zimbabwe. But as the people of Zimbabwe know so well, a popular mandate can be dissipated if leaders fail to perform in the best interests of their community. So, support for the MDC at this moment should be fulsome—and conditional.

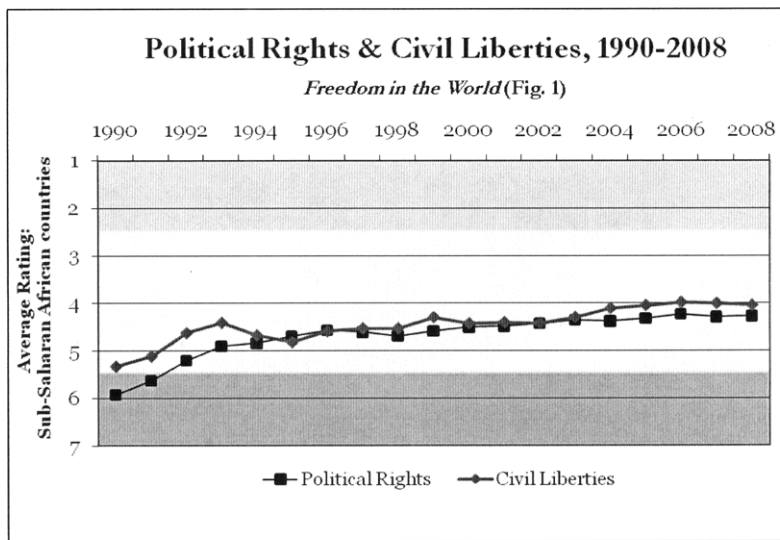
3. *Support Zimbabwean civil society.* Today, July 15, a "National Civil Society Consultative Conference" has been convened in Harare. Scores of civic group leaders have come together upon the initiative of the National Association of Non-Governmental Organizations to discuss how to further consolidate consensus on the way forward for the country. Many of the groups meeting today played important roles in educating voters, and implementing get-out-the-vote programs in March, and in monitoring the election process and the vote count. Many also have ongoing non-political mandates and service delivery functions and so are well connected to the people of Zimbabwe. These are important voices and the international community should take heed of their deliberations and be inclined to be responsive to well-formulated requests for assistance in advancing toward accountable governance. USAID and other donors have supported such efforts in the past, and an attentive, supportive posture toward civil society should be sustained.

4. *Be poised to assist the transition government.* As noted earlier, the administration has done well to request \$45 million in funding to assist in the rehabilitation of Zimbabwe once a legitimate government comes into office. It is vital that, in the truncated appropriations legislative process that seems likely this year, Senators and Representatives stay focused on ensuring that this funding is available in the coming weeks or months to have maximum impact. It is also not too soon to convene working groups of international experts, from the U.S., Africa, and the world to advise Zimbabweans—for the lead must be taken by qualified Zimbabweans—to plan for the reconstruction of Zimbabwe when circumstances permit. These planning efforts should draw on the immense pool of talented Zimbabwean men and women available in-country or in the growing diaspora outside the country. At the same time, Freedom House calls upon Europe to match the U.S. commitment, either through the EU or bilateral assistance packages. Funding priorities should include feeding Zimbabweans, providing relief for HIV/AIDS patients, stabilizing the currency, and rewriting the constitution.

5. *Support and reward African leadership toward the transition.* While the U.S. should appreciate that the scenario in Zimbabwe is playing out on a global stage—autocratic states (such as those who thwarted the July 11 initiative to impose U.N. sanction) are watching to see how well the democratic world can handle their challenge—it is also a scenario in which African states will play the leading roles. United States diplomatic efforts therefore should be focused on reinforcing the emerging leaders in the region, by rewarding—through political and economic and other means—those governments whose leaders have led on the Zimbabwe crisis. It may well be the case that not all states can do the same things, but an array of complementary actions, in sanctions and political initiatives, should result in commensurate and tangible recognition in the form of political rewards from the United States. The U.S. Government could, for instance, start by expressing its appreciation to governments such as Botswana and Zambia and Liberia for their forward-leaning posture to date—appreciation in the form of having their Presidents invited to the White House, not necessarily for a joint statement on Zimbabwe, but to talk about whatever those other Presidents have on their agendas.

6. *Do not give up on the United Nations and other diplomatic venues.* Notwithstanding the rationales offered for their stands by the Russian Government and others, the crisis in Zimbabwe does indeed constitute a threat to international peace and security—one for which U.N. Security Council action would be entirely appropriate. The U.S. ought therefore to reinvigorate its multilateral diplomacy, not least because this is but the first in a series of efforts by the dictatorships to undermine the institutions of international order. Basic human rights principles are being vigorously contested by world and regional powers alike on the basis of “national sovereignty,” despite the evident horrors in Zimbabwe. It is vital that the U.S. not be deterred.

Thank you for this opportunity to discuss the present crisis in Zimbabwe. I look forward to your reactions and the discussion.



Senator FEINGOLD. Thank you very much, Mr. Melia, for your testimony.

Ms. Gavin.

STATEMENT OF MICHELLE D. GAVIN, ADJUNCT FELLOW FOR AFRICA, COUNCIL ON FOREIGN RELATIONS, NEW YORK, NY

Ms. GAVIN. Thank you so much, Chairman Feingold and Senator Isakson. It is a real honor to be here. I have tremendous respect for this subcommittee and have spent a lot of time thinking about the work of this subcommittee, and I am so pleased to be here. I think it is wonderful that you are focusing on this important issue today. I want to thank the staff as well because I know how much work goes into these hearings, and particularly, Mr. Chairman, to thank you for your kind words. I really have so much admiration for your commitment and knowledge, and I think that you have been quietly a hero for Africans for quite some time.

I would request that my full written statement be included in the record.

Senator FEINGOLD. Without objection.

Ms. GAVIN. And I will just briefly summarize because there are mostly points of agreement between Mr. Melia and I and frankly with the first panel as well.

The current state of play with regard to Zimbabwe is characterized, as we have heard, by a desperate internal situation, a divided and at this point fairly ineffective set of international responses, and a troubling lack of clarity and consensus about the most promising way forward. And the truth is the United States has very limited options and limited leverage, but that is not an excuse for inaction.

Zimbabwe today, as you know, is a country held hostage by an illegitimate government. As the international community fails to come to consensus on a strategy for resolving the crisis, civilians continue to suffer terribly. We have heard the litany of statistics. I will not go through them again.

But this is an important time to be talking about this because last week's failed attempt to pass a United Nations Security Council resolution applying additional international pressure on those most responsible for Zimbabwe's suffering was deeply disappointing. It was a real illustration of the risks that still exist in the international community with regard to the crisis and it dramatically slowed multilateral momentum. And it is important to find ways to ramp that back up.

In the first panel, I believe that Secretary Frazer talked about how important it is that we not lose focus. I think this was in the chairman's opening statement as well. And I do think that is a critical point.

The motives driving those who have acted to protect Zimbabwe's repressive and illegitimate government are varied. But undoubtedly they include the following, in addition to others.

There is just a glass houses element here. Governments that are themselves autocratic to some degree are uncomfortable with the idea of multilateral pressure on a despotic regime. There is not a whole lot we can do about that right now, but some of the others are things that we might be able to do something about.

There is the sense of discomfort of appearing to be at odds with South Africa and with South African President Mbeke, but as change comes in South Africa, as not just civil society but other elements of the South African Government find their voice, it might be less difficult to address that issue.

There certainly had been for a long time the sense of discomfort with criticizing President Mugabe, as you pointed out, long known as a liberation hero, and his legacy is indeed complex. I think that we can address that in some ways by, as my colleague has said, spending more time talking about the civil and political rights of the Zimbabwean people and a little less time framing this crisis as one about a power struggle between political elites. We have to tell it like it is certainly about the Mugabe regime and be very straightforward about just how repressive it is. But I think for many African states, it would be a much more comfortable way to frame the issue to talk about restoring the rights of the Zimbabwean people—after all, that is what a liberation struggle was about—than to constantly be framing it as an issue about targeting a specific leader.

And finally, I think that there is this misperception out there, and I think this speaks to this West and the rest divide, Mr. Chairman, that you identified. There is a misperception that Africans want to move forward on some kind of negotiated political process that will map out a path out of this crisis and that the United States and others want only to move forward on sanctions, and that there is some idea out there that these are mutually exclusive paths instead of complementary paths. And I do think by talking more about why these are routes that should be taken simultaneously could help in terms of framing the issues and restoring some multilateral momentum as well.

And let me just explain a bit about what I mean. At this point, the opposition is basically being asked to negotiate at the point of a gun. Their supporters continue to be harassed and beaten and tortured, and yet they are supposed to walk into a negotiating room and assume some kind of good faith. They have very limited leverage in any negotiation without increased international pressure. It is essentially political extortion, not a negotiation, and it would be absurd for the international community to support that.

But with additional pressure, I think that Secretary Frazer is right. A political process very well may be the way forward. ZANU-PF is certainly not going to simply disappear from the scene. A negotiation that can make the most of some of the rifts within the ruling party that she identified and critically that stresses what we need is a transitional government where there is some degree of power-sharing but there is a fixed timeframe leading to a new free and fair election, not some endless situation of power-sharing where political elites all get a seat at a table and the Zimbabwean people get forgotten. That does seem to be the most likely way forward.

So in terms of recommendations, that leads to what I have already discussed, these framing issues, that it is important to talk about the complementarity between increased pressure and negotiations, that it is important to emphasize the dignity and rights of the Zimbabwean people and emphasize efforts to improve their

future prospects, not simply to condemn Robert Mugabe and his cronies.

I would say it is critical to pay attention to Parliament and what is happening there or, rather, what is not happening when it is not being convened. And there are some very alarming reports about what the Government of Zimbabwe's plans might be for undermining the results of the March Parliamentary elections. Any kind of recovery in Zimbabwe, any kind of negotiated deal is going to depend on an effective Parliament, and that is an issue that should be watched more closely, be spoken about a great deal more in our dialogue with African leaders.

It makes sense to do what Secretary Frazer talked about, which is to keep working on these unilateral sanctions, trying to tighten up our own sanctions regime, but we have to be honest with ourselves. Those have limited efficacy, and they cannot be a substitute for trying to broaden the community of actors that are putting pressure on those most responsible for repression in Zimbabwe.

Obviously, there has to be some supplement to President Mbeke's mediation efforts. They are insufficient. And the United States can help not only by supporting that by ensuring that international actors and the mediation team are in a dialogue with Zimbabwean civil society. So again, this does not become just a process for political elites, but we are keeping that focus on Zimbabwe and Zimbabwean citizens.

We should keep working on those in ZANU-PF who recognize that they do not have a very bright future if the status quo persists. They are working on a different time frame than President Mugabe is, and it is important to have quiet conversations with some of those actors.

Finally, as Mr. Melia said, as the administration witnesses said, it is important to keep talking about Zimbabwe's recovery. Laying out clear, concrete incentives for reform can help change the calculus of actors on the ground. It should not be abstract. It should not be theoretical. This is important for the region as well, for South Africans, and other Southern Africans to believe that there is a constructive project here that is going to benefit all of them if only we can get to that place. So I do think that it is not pie in the sky and it is critical to keep talking about Zimbabwe's recovery.

Thank you very much.

[The prepared statement of Ms. Gavin follows:]

PREPARED STATEMENT OF MICHELLE D. GAVIN, ADJUNCT FELLOW FOR AFRICA,
COUNCIL ON FOREIGN RELATIONS, NEW YORK, NY

I am grateful to Chairman Feingold and Senator Isakson for this opportunity to testify before the Subcommittee on African Affairs, and I thank the subcommittee for its consistent and thoughtful efforts on the issue of Zimbabwe.

The current state of play with regard to Zimbabwe is characterized by a desperate internal situation, a divided and ineffective set of international responses, and a troubling lack of clarity and consensus regarding the most promising way forward. The United States has limited options, but there are steps that can and should be taken to improve the prospects for a peaceful and swift resolution to the crisis.

A MANMADE DISASTER

This subcommittee is more than familiar with Zimbabwe's recent history. By the late 1990s, economic mismanagement, official corruption, and the dominance of the ruling ZANU-PF party had stoked significant frustration within the country. A referendum on constitutional change that would have strengthened President Mugabe

considerably catalyzed the forces opposed to the status quo and led to the emergence of a new opposition party, the Movement for Democratic Change (MDC), with roots in the Zimbabwe Congress of Trade Unions. When the electorate rejected the government-backed draft constitution in February 2000, the ruling party embarked on an increasingly costly campaign to shore up its power and guarantee its continued dominance.

Over the course of parliamentary elections in 2000 and 2005 and Presidential elections in 2002, ZANU–PF continued a campaign of intimidation aimed at the MDC, its supporters, independent journalists, civil society activists, and ordinary Zimbabweans (especially the 700,000 Zimbabweans displaced in 2005’s Operation Murambatsvina). The ruling party employed youth militia forces and “war veterans” in addition to using the regular security services to further its agenda. Senior security officers came to have a decisive role in all government decisions. Over time, the MDC was weakened to the point of splitting in 2005, with one faction led by Morgan Tsvangirai and another by Arthur Mutambara. Meanwhile, as the economy went into freefall, lucrative opportunities were provided to ZANU–PF elites to ensure their continued loyalty.

The most recent round of elections demonstrated just how deep dissatisfaction with the ruling party has become within Zimbabwe—and just how far the Mugabe regime is willing to go to cling to power. The extraordinary nature of the MDC’s victories in the March 29, 2008, parliamentary and Presidential elections can only be understood when combined with a full appreciation for just how unfair the preelection conditions were in the runup to the balloting. Voting day itself was peaceful, but the campaigning period featured incidents of state harassment of opposition candidates, an extraordinarily strong state media bias in favor of the ruling party, manipulation of subsidized food to favor ZANU–PF, and widely publicized statements from senior security officials indicating that they would not recognize any victor but President Mugabe. Even with the deck stacked steeply against them, the official tallies, which the ZANU–PF-dominated electoral commission took 5 weeks to announce, revealed that opposition candidates fared extremely well with voters, winning a narrow majority in the House of Assembly and a plurality of the votes for President, though not enough to avoid the need for a runoff.

In the weeks before the runoff election, preelection conditions went from problematic to terrifying. The Government of Zimbabwe banned many humanitarian and development NGOs from operating in the country and launched a vicious and far-reaching campaign of brutality and violence targeting MDC leaders and supporters as well as everyday citizens. Mugabe and members of his inner circle also made it clear that they would not respect any election result other than victory. In response, Tsvangirai withdrew from the June 27 sham exercise, which Mugabe won in a meaningless landslide.

Zimbabwe today is a country held hostage by an illegitimate government. As the international community fails to come to consensus on a strategy for resolving the crisis, civilians suffer in the midst of a man-made economic catastrophe characterized by stratospheric hyperinflation, massive unemployment, and food shortages so severe that the World Food Program anticipates that some 5 million Zimbabweans will be in need of food aid by September. This humanitarian crisis is all the more alarming in light of the Government of Zimbabwe’s refusal to allow NGOs full access to populations in need. On top of this grim outlook, brutal political repression continues in Zimbabwe, as hardliners in ZANU–PF seek to continue punishing Zimbabweans for supporting democratic change and to decimate the organizational capacity of the opposition party and of independent civil society organizations. The ruling party continues to keep the press on a tight leash and takes deliberate steps to isolate and misinform the Zimbabwean people.

THE INTERNATIONAL RESPONSE

The international community’s response to these developments has been disjointed for years, and unfortunately it remains incoherent today. Over the course of the past 8 years, the United States, EU, Australia, and others condemned the repression in Zimbabwe and in many cases pursued targeted sanctions policies while still trying to provide humanitarian support to the population. In 2004, Zimbabwe withdrew from the Commonwealth rather than face expulsion. But many African states have long been reluctant to condemn Mugabe, and South African President Thabo Mbeki’s efforts to mediate between the MDC and ZANU–PF on behalf of the Southern African Development Community (SADC) have produced very little in the way of results. Mugabe has exploited these different reactions, and often characterizes the crisis in Zimbabwe as a new liberation struggle against neocolonial Western powers.

The events of the past several months have focused renewed international attention on Zimbabwe's crisis. Teams from the African Union, SADC, and the Pan-African Parliament all issued statements regarding the June 27 election indicating that it did not meet any appropriate standards. Several African governments, including those of Zambia, Botswana, Liberia, Senegal, Tanzania, and even Angola have, in one form or another, denounced the Zimbabwean Government's actions. Powerful voices from within South Africa have spoken out as well. But at the recent AU summit, African leaders could come to consensus only around language expressing concern about the situation and encouraging negotiations aimed at forming a Government of National Unity.

Despite resistance from some African leaders, the G-8 issued a strong statement on Zimbabwe on July 8, rejecting the legitimacy of the current Government of Zimbabwe, urging a negotiated resolution to the crisis that respects the results of the March 29 election, recommending the appointment of a U.N. envoy to report on the crisis and facilitate mediation, and pledging to take further action against those responsible for political violence. But last week's failed attempt to pass a United Nations Security Council resolution applying additional international pressure on those most responsible for Zimbabwe's suffering was a deeply disappointing illustration of the rifts that still exist in the international community with regard to Zimbabwe's crisis that dramatically slowed multilateral momentum. Though the resolution had nine votes of support, Russia and China both exercised their vetoes to defeat the resolution, and South Africa, Libya, and Vietnam voted against it.

The motives driving those who have acted to protect Zimbabwe's repressive and illegitimate government are varied, but they undoubtedly include the following concerns:

- A desire on the part of repressive governments to shield similarly autocratic and illegitimate regimes from international approbation;
- A fundamental discomfort with the prospect of condemning a leader of a historic liberation struggle;
- An unwillingness to publicly acknowledge the inadequacy of President Mbeki's mediation efforts; and
- A misguided belief that increased international pressure and an internationally supported political solution to the current crisis are mutually exclusive goals.

THE SEARCH FOR A POLITICAL SOLUTION

While the international community is in disarray regarding the issue of sanctions, there is widespread international consensus on the desirability of negotiating the formation of some new government that includes elements of both ZANU-PF and the MDC. However, the form such a government would take is unclear. All indicators suggest that ZANU-PF wishes to retain its power and simply co-opt the MDC. The opposition points out that it was the winner of the March 29 elections, which had some real legitimacy, and therefore should lead any new governing arrangement.

While the MDC has participated in talks (which currently appear to be stalled) on the modalities for such a negotiation, the party continues to insist that it will not actually negotiate until political prisoners in Zimbabwe are released and the violent repression within the country stops. In short, the opposition does not wish to be forced to negotiate at gunpoint. Without the leverage of increased international pressure, however, this request for fundamental fairness is unlikely to be met. The MDC has also called for a new mediator from the AU to take the lead in facilitating negotiations, but despite having completely lost the confidence of one of the parties, President Mbeki is clearly reluctant to relinquish his exclusive role.

Whatever the specifics of the process, one should be wary of too many glib calls for a "Kenyan solution." Some actors, including Robert Mugabe, will have to exit the political stage, and only an enforceable transitional arrangement that guides the country to genuinely free and fair elections within a specified timeframe makes sense. To view power-sharing as an end in itself is to ignore the Zimbabwean people and to discount the decisive role that they should play in determining the future of governance in their country. The problem in Zimbabwe is not that Robert Mugabe and Morgan Tsvangirai are locked in a struggle for executive power. The problem is that the Zimbabwean people have been denied their fundamental rights. Keeping the population rather than political elites at the forefront of the international debate can help to ensure that political solutions actually create space for more accountable governance in the future.

NEXT STEPS

The hard truth is that this international landscape leaves the United States without many promising options, but this is not an argument for inaction or for empty gestures. A combination of public signaling, private communication, and concrete action can help to influence Zimbabwean and other African actors with more direct leverage than the United States possesses.

With regard to public messages, it is vital that the United States underscore that increased international pressure on the current, illegitimate Government of Zimbabwe is not intended to be an alternative to a political negotiation leading to a transitional government. Instead, increased pressure is needed to make such a negotiated process possible, by compelling ZANU–PF to abandon its current strategy of trying to beat the opposition into bending to its will. That’s not a negotiation; that’s political extortion, and for the international community to rely upon such a process is absurd.

As suggested above, the United States should make plain that the fundamental aim of its policy is to respect the dignity and rights of the Zimbabwean people and to improve their future prospects, not simply to condemn Robert Mugabe and his cronies. Certainly there is nothing wrong with speaking the truth about the appalling regime currently in power, and it is important to continue to note that this government has no claim to legitimacy. But efforts to encourage more effective African policies stumble when we overemphasize the role of individual political elites and underemphasize the point that the citizens of Zimbabwe, more than any political leader or group, deserve international support for their basic rights. They also deserve basic protections and assistance. The United States must continue to work with others to push for full humanitarian access in Zimbabwe, and this issue should be raised in regional and international organizations constantly until it is resolved.

The United States should avoid focusing on the problems with the Zimbabwean Presidency to the neglect of the Parliament. Extremely worrying indications suggest that ZANU–PF will try to wrest the majority of seats in the House of Assembly back from the MDC before allowing the Parliament to function at all. By threatening elected opposition officials or arresting them, ZANU–PF is again thwarting the democratically expressed will of the citizens and doing further damage to the country’s governing institutions. The United States must keep a close watch on parliamentary developments, and should be discussing these alarming trends regularly with African leaders to ensure that the integrity of the parliamentary election results remains on the international agenda.

Of course, the United States should act quickly and decisively to tighten targeted sanctions on individuals and institutions directing, perpetrating, or financing political violence and undermining democracy in Zimbabwe, but we must recognize that these actions, while they help to increase the costs of repression and lend themselves to satisfyingly tough announcements, cannot stand alone. Hard diplomatic work must accompany unilateral action to significantly broaden the community of countries taking meaningful steps to pressure the most problematic actors in Zimbabwe. That means that despite last week’s disappointment in the Security Council, the United States should keep working at the highest levels to encourage international and regional bodies to take stronger action that can set the stage for genuine political negotiations.

President Mbeki cannot be effective as the sole mediator in talks between the MDC and ZANU–PF. Another mediator with a mandate from the African Union must be brought in to facilitate negotiations, and the United States should work closely with the AU to expedite the deployment of such an additional actor and to ensure that he has all of the resources required to succeed, including the capacity to call on members of the international community to provide vital guarantees and lay out clear consequences for bad faith. The United States can also work to ensure that international actors supporting an effective negotiation regularly consult with Zimbabwean civil society.

The United States should recognize that Zimbabwe’s ruling party is not monolithic. Ultimately, actors within ZANU–PF who recognize that the country’s economy must be stabilized and that this will not happen if the political status quo persists, can be persuaded to abandon the hardliners who aim to cling to power at all costs. Where the United States has access to some of these actors, it should not miss opportunities to encourage them to act on what they know to be true: Mugabe must go, and the era of unaccountable ZANU–PF-dominance must end.

In this vein, it is still useful to speak publicly and clearly about the recovery efforts that the United States and other members of the international community are prepared to support once sound governance mechanisms are in place in Zimbabwe. Moreover, the United States should continue efforts to establish sound reconstruc-

tion plans and to marshal international resources toward this end. By making sure that incentives for supporting a change in governance are concrete rather than theoretical, the United States, working with others, can help to garner more ZANU–PF support for real reform, and to isolate those currently wielding the most influence within the party.

Ideally, the Zimbabwean people will be able to make final decisions about accountability for crimes committed to date. But the United States and others can support efforts to establish the basic facts of the matter by backing a United Nations investigation of the human rights abuses that have occurred thus far.

Finally, it is worth noting that the limits of U.S. leverage in this situation point toward the need for effective multilateral institutions and diplomatic credibility in order to address pressing foreign policy concerns. Not only does the United States have a clear interest in averting violent conflict and costly state collapse, it also has an obvious interest in promoting democracy and development in a region that should be an economic engine for the continent. None of these concerns will be addressed in Zimbabwe simply through unilateral action. Halting the decline of U.S. soft power, and doing the often-frustrating work of building consensus internationally, are indispensable building blocks of a policy response to Zimbabwe's crisis, and to others that may emerge in the future.

Senator FEINGOLD. Ms. Gavin, thanks for your excellent testimony. And your comments remind me of the meeting you and I attended of Zimbabwean civil society with people with enormous courage and ability and how critical it is that they be central to the future.

I will start with a 7-minute round.

Mr. Melia, your organization, Freedom House, works extensively with civil society in countries throughout Africa, and I know that domestic electoral observers, such as the Zimbabwean Electoral Support Network, played a courageous role in reporting on the March 29 elections and subsequent events.

Is there still a need to protect domestic observers? And if so, what steps should be taken to do that?

Mr. MELIA. Yes. The brave people of ZESN, that election network, which was itself a coalition of a number of preexisting civil society groups, went into the March elections with a fair amount of trepidation. They were afraid of being beaten and abused and losing jobs, et cetera.

What was interesting—and that was the period when I was in Zimbabwe just before the March 29 election—was that they were out doing their thing. They were out educating people on how to vote because there was some reapportionment of districts that made it a little bit complicated on knowing where to vote on election day. And there were a lot of people in church groups, and civic groups, and women's groups, et cetera that were out there telling people how to vote properly to make sure they got their vote cast and counted. And that made a big difference on election day and the fact that they were present in those places. And we and others supported those efforts with money, training, the provision of material goods.

But they were waiting every day for the other shoe to drop, and what people told me, MDC leaders told me, civil society leaders were waiting for the other shoe to drop. They said the surge in violence that we were expecting from the regime has not arrived yet. And that was in those days before March 29.

The surge in violence did not really come until 3 or 4 days after March 29. In June, it was all about the surge in violence by the regime against these people. So their efforts were severely dis-

rupted. There were some efforts at monitoring, but mostly they were not able to implement their monitoring program. The voter education groups mostly did not implement the plans they had in June, and ZESN did not issue a statement after the election.

So those people are at the ready. They took it on the chin, quite literally, from the Joint Operations Command and the militias, the veterans, the groups that were out beating people who were supporting a legitimate process. So efforts by the international community to provide some protection to them would be very important.

Senator FEINGOLD. What role does the Zimbabwean diaspora play in the current situation? How can they best contribute to a negotiated agreement, Mr. Melia?

Mr. MELIA. Well, as you know, 2 million to 3 million Zimbabweans have left the country in recent years. The Zimbabwean diaspora is a huge, significant portion of the population, only recently departed from Zimbabwe. Most of them are in South Africa.

A lot of talent is in that community. A lot of the people who would be necessary to rebuild Zimbabwe are present in that diaspora community in southern Africa and worldwide, but mostly in South Africa and the region. Those are among the people that could be brought together for planning the transition arrangement to put together the plans for the future of Zimbabwe, and the international community could play a role in convening these Zimbabweans both those in country and those out of country to work together to plan for the reconstruction of their country.

Senator FEINGOLD. There is some concern. We have heard that the opposition MDC is facing internal strains largely as a result of the overwhelming repression by the security forces. What can be done, Mr. Melia, by the United States and others to ensure the cohesion of the MDC and its ability to negotiate effectively?

Mr. MELIA. A lot of effort has been invested over the last 8 or 10 years in working with the MDC to develop strategies and organizational coherence. In a democratic movement, people are going to disagree. It will not always be possible to have everybody on the same page. But I think that the consultative process that the National Democratic Institute and the International Republican Institute has embarked on, working with the MDC and its different factions to keep venues for dialogue alive and working has been important in this process, just as the work that we have been doing on a parallel track with civil society to keep them talking with each other, to realize that they are fundamentally on the same side and on the same page.

I think international groups have a role to play in convening meetings where they can discuss and strategize together. But I think if we overfocus on a particular result—it is consistent with what Ms. Gavin said in that if we overfocus on particular outcomes or particular leaders getting into a particular position, we may lose our focus which should be on the broader population of Zimbabwe and a broader process in which Zimbabwean voices can be heard.

So I think there is a degree of modesty we should retain in going into these kinds of consultative efforts. It is not up to us to direct them to come to a predetermined plan or a plan of action, but to facilitate their learning process and their consultative process.

Senator FEINGOLD. Ms. Gavin, you mentioned in your testimony that international pressure on the Mugabe regime should aim to give leverage to political negotiations and a negotiated agreement.

How can the U.S. Government maximize its leverage to bolster current mediation efforts?

Ms. GAVIN. Well, unfortunately, the answer is doing the very hard slog of diplomatic work to ensure that we do not stand alone and that we do not just stand with a cast of characters that Robert Mugabe has in some ways effectively painted as neo-colonial or neo-imperialists. So we cannot sort of give up despite the frustration, and I understand the frustration—I feel the frustration—with the failure of the AU to take a more decisive stand with SADC’s insistence thus far on sort of clinging to President Mbeke’s mediation effort, which is simply inadequate. One does not have to criticize President Mbeke to acknowledge that you cannot have an effective mediation if you have lost the confidence in one of the parties. Well, there is no question that he does not have the confidence of the MDC.

So we have to keep working to ensure that we do not stand alone. We cannot sort of comfort ourselves with a coalition of the willing approach and march forward with sanctions and advice regarding a political negotiation that does not include these other actors.

Senator FEINGOLD. And do you believe that the current mediation can be strengthened or is there a need to make this happen for a new mediation team and initiative?

Ms. GAVIN. I think that either is a possibility. I think it might be easier to finesse perhaps by simply supplementing the mediation that exists. That way no one has to reject anyone’s good efforts and good offices. But certainly I think the Secretary was using “expansion” as her preferred phrase, and I think that makes some sense.

Clearly, there needs to be a new actor in the mix, ideally one with a mandate from perhaps the AU, perhaps the U.N., although that may be difficult. And I think it makes sense to talk about needing a presence on the ground, a secretariat. The United States can play an important role in providing resources to such a temporary institution to ensure that that can be as effective a process as possible.

But if I may just very quickly say I do think it is important not to make too many close parallels to the Kenyan situation. Zimbabwe is different. We are not dealing with this closely elected contest where the integrity of the process largely fell apart in the coalition and counting of ballots. This is a situation where we had one election that despite completely unfair preelection conditions where the deck was stacked against the opposition, voting day went pretty well, and the opposition emerged largely victorious and then a complete sham of a runoff. So it is a different kind of process. It requires a different sort of strategy.

But where the parallel with Kenya I think does make some sense is to point out that it was international pressure and leverage that forced Kenyan actors to the table making concessions. It did not simply spring up of its own accord.

Senator FEINGOLD. And what steps should the United States take to increase pressure on South African President Mbeke to address the crisis in Zimbabwe in a strong, just, and efficient manner?

Ms. GAVIN. I am not sure that there things that we can do to change President Mbeke's mind about his approach and certainly on other bilateral irritants. I do not think that we have had much success when President Mbeke has dug into a position in resolving any kind of antagonistic relationship with him on specific issues. But I do think what we can do is make the most of the other South African voices that are making themselves heard. It is very important to recognize that South Africa is not monolithic, the ANC is not monolithic. And to talk about supplementing his efforts perhaps rather than rejecting them just might be more constructive.

Senator FEINGOLD. Finally—and then I will turn to Senator Isakson—Ms. Gavin, you have effectively said that any serious resolution of the current crisis must include Mugabe's exit and an end to ZANU–PF dominance. Under what circumstances do you believe Mugabe would exit, and how can the United States contribute to fostering those circumstances?

Ms. GAVIN. Here is where I do think quiet conversations with other parts of ZANU–PF come in because, obviously, President Mugabe would want some guarantees regarding his future. Ultimately decisions about accountability should be left in the hands of the Zimbabwean people. Ideally they will be able to make them. But in terms of the negotiation process, it seems reasonable to assume that some kind of arrangement to ensure his future security might be set up.

But what would it take to get him to step aside? I think it would take pressure from within the ruling party. It would essentially take an act in which those in ZANU–PF who know that they have got no lasting future, that their investments are not secure—I am not pretending these people are terribly committed to good governance and democracy, but there is an enlightened self-interest that can be appealed to here. And I do think that it is going to take a decision within the party to take a different course and to isolate the hard-liners who right now are calling the shots. And that means some quiet conversations where we have access to important actors within ZANU–PF to try and encourage them to act.

Senator FEINGOLD. Thank you.

I apologize, Senator Isakson, for going over time, but please proceed.

Senator ISAKSON. Thank you, Mr. Chairman.

I apologize, Mr. Melia. When I walked in and sat down, you were in the middle of a thought, and so I am going to ask you a question about what I think I remember I heard.

You were talking about the inability of the U.N. to get the resolution through, and you made a reference to this administration's estrangement from the U.N. Is that correct? Did I hear that right?

Mr. MELIA. Yes; you did.

Senator ISAKSON. Would you elaborate on that estrangement?

Mr. MELIA. Well, for instance—and it relates directly to these discussions of human rights and democracy. The U.N.'s Human Rights Council in Geneva—the administration has chosen not to

present itself as a candidate, not to be active in the workings of the newly reorganized council. And it has left the field to the enemies of freedom and democracy. The Russians and the Egyptians and the Chinese and the Cubans are very active in these U.N. forums. It matters a lot to them that they be able to thwart efforts to pass resolutions, conduct investigations, develop reports. And as long as we are absent from these forums, the side of the democracies is weaker for that.

So there has been—I do not need to revisit all of the rhetorical fireworks of the early part of the Bush administration in approaching the U.N. under Ambassador Bolton's leadership, et cetera. But it has left the United States not as present and engaged in the U.N. system generally and specifically on matters of human rights and democracy as it could have been.

Senator ISAKSON. Ms. Gavin made a comment about—where is my note here? Motives are varied in the reasons to vote against the resolution, but you referred to the autocratic glass house theory where sometimes autocrats just do not want to vote against somebody who is pretty autocratic themselves. Did I hear it that way?

Ms. GAVIN. That is right.

Senator ISAKSON. So really, I do not have a secret motive here. So really, what you are saying is, Mr. Melia, if we had been a better participant, for example, in the human rights negotiation or committee, whatever, we might have had more leverage on the Security Council to keep that from happening?

Mr. MELIA. It is not clear that we would have been able to avoid the Russian and Chinese vetoes by any means. And if you look at the Security Council vote, the people that voted with the Russians and the Chinese were Libya and Vietnam, along with South Africa. All the rest of the Security Council voted for the sanctions.

But my point is that there is an active campaign by those non-democracies to seize control of these institutions and to use them to thwart the adoption of measures that reflect what we would see as fair standards on human rights and democracy.

Senator ISAKSON. Sort of a self-preservation motivation.

Mr. MELIA. Absolutely. Now, Michelle Gavin is right. Look at the voting both in the AU and in SADC and at the Security Council. It is clear it is not so much of a regional distinction or a left/right distinction. It is a democracy versus nondemocracy distinction. And that is the point I was making earlier about the sub-Saharan Africa more generally, is that over the last 10 and 20 years, there has emerged a democratic character in sub-Saharan Africa's governance that was not there previously. It is still nascent. It is still fragile, but it is emerging. And that is what we saw in the outspokenness by President Ellen Johnson-Sirleaf, President Kufour of Ghana.

You talked about the apparent split in Kenyan leadership between Prime Minister Odinga and President Kibaki. Well, that is a difference between people that like elections where they count the votes and people who do not like elections where they count the votes fairly. And that comes through again and again in the treatment of Zimbabwe.

That is why I said that American diplomacy should be engaged much more assiduously in cultivating this emerging sensibility

among African governments so that it has a broader consequence than just the way we look at the Zimbabwe crisis. The Russians and the Chinese do not think this is just about Zimbabwe. They think this is about the way the U.N. system will operate more generally, and we should see it that way too. We should be building coalitions with like-minded allies.

Senator ISAKSON. Ms. Gavin, you made a comment about we should frame our efforts at mediation in the interest of restoration of rights of the people versus getting rid of Mugabe. I think that is kind of how I heard it. And you also said sanctions should be a means to an end, meaning mediation. It should be effective to bring about mediation.

If, in fact, mediation could take place and if, in fact, there was some negotiation to get Mugabe to withdraw or to accede from power, would the army support a freely elected government, or is their loyalty so strong to him ideologically that they would try and keep it from happening?

Ms. GAVIN. That is a very important question I think, Senator Isakson. My sense, from talking to people on the ground, is that the security forces are not any more monolithic than the ruling party is. Certainly at the very top you have a set of hard-liners who see their fates as inextricably linked to that of President Mugabe, and to some degree these actors are sort of hostage to each other at this point.

But if you look at the middle level and certainly the lower level of the security forces, you are dealing with masses of actors who have been struggling with the same economic circumstances as the rest of the Zimbabwean people and in many cases not getting paid, getting paid so little, given the stratospheric hyperinflation that they cannot feed their families. There is plenty of anecdotal evidence that the MDC got quite a few votes from people who work in the security sector in the March elections.

So while I think that there are actors besides President Mugabe whose futures would probably have to be part of any negotiation who would be concerned about various guarantees for themselves, et cetera, I do not think it is necessarily the case that the entirety of the security forces would necessarily be a problem.

Senator ISAKSON. So the loyalty is kind of at the top, and if in fact, you did have a restoration of rights for the people and a transitional way, the lower end of the security system could possibly help support a new government rather than actually trying to overthrow it.

Ms. GAVIN. I think that is true, and I think they would like a chance to see some economic stabilization just like any other Zimbabwean citizen so that they could have some security for their families. And they probably would like a chance to see their work reprofessionalized and be able to function like a professional and capable security service again.

Senator ISAKSON. Thank you, Mr. Chairman. I apologize but I have got to run to a meeting.

Senator FEINGOLD. I understand.

Senator ISAKSON. I thank both of you very much.

Senator FEINGOLD. Thank you, Senator Isakson.

I thank the panel. I regret that we have to conclude this, but I have to proceed to yet another task Ms. Gavin sent me 2 years ago—the CSIS HIV/AIDS Task Force. So your legacy continues. But this was an excellent panel.

This concludes the hearing.

[Whereupon, at 12:28 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF HON. BARACK OBAMA, U.S. SENATOR FROM ILLINOIS

Mr. Chairman, thank you for holding this important hearing on the crisis in Zimbabwe and the prospects for resolution.

I find the recent events in Zimbabwe to be deeply disturbing and condemn the actions of President Robert Mugabe in the strongest possible terms. The United States and the international community must be clear, unequivocal, and united about the Government of Zimbabwe's illegitimacy and lack of credibility.

For far too long, the people of Zimbabwe have suffered, living in fear and struggling to survive. Opposition supporters and leaders, civil society activists, and ordinary citizens are subject to harassment, torture, and murder. The economic catastrophe brought about by the Government of Zimbabwe has led to hyperinflation and shortages of food and fuel. The deliberate disruption of humanitarian operations by the regime has caused misery for the Zimbabwean people. The entire Southern African region is affected by the crisis, which is ruining the vision of a more prosperous, just, and stable continent.

I am encouraged by the growing support of African leaders for the civil and political rights of the Zimbabwean people. The Governments of Zambia, Botswana, Tanzania, Angola, Senegal, Kenya, and South Africa's African National Congress (ANC), civil society leaders and trade unions have all denounced the Zimbabwean Government's repression. However, these parties must do much more to help prevent the crisis in Zimbabwe from escalating out of control. The Government of South Africa and the ANC, in particular, must recognize the need and call for the kind of diplomatic action that is necessary to pressure the Zimbabwean Government to stop its repressive actions.

With the support of the international community, regional leaders should work toward an enforceable, negotiated political transition in Zimbabwe that would end repressive rule and enable genuine democracy to take hold. The United States, for its part, must tighten its existing sanctions, just as the Southern African Development Community (SADC), the African Union (AU), and the U.N. should take concrete steps to isolate Zimbabwean officials who continue to thwart democracy and undermine the rule of law.

I will continue to call for an end to the repressive and divisive actions of the Mugabe regime so the people of Zimbabwe can pursue their hopes for legitimate political change and opportunity. I look forward to working with the committee to address this important issue.

