

THE FUTURE OF ZIMBABWE

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA AND
GLOBAL HEALTH POLICY

OF THE

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CONTENTS

	Page
Flake, Hon. Jeff, U.S. Senator from Arizona	1
Booker, Hon. Cory A., U.S. Senator from New Jersey	2
Coons, Hon. Christopher A., U.S. Senator from Delaware	3
Sullivan, Hon. Stephanie, Acting Principal Deputy Assistant Secretary, Bureau of African Affairs, U.S. Department Of State, Washington, DC	4
Prepared statement	6
Responses to Additional Questions for the Record Submitted to Hon. Stephanie Sullivan by Senator Bob Corker	36
Responses to Additional Questions for the Record Submitted to Hon. Stephanie Sullivan by Senator Jeff Flake	38
Responses to Additional Questions for the Record Submitted to Hon. Stephanie Sullivan by Senator Cory A. Booker	38
Godwin, Peter, author and journalist, New York, NY	14
Prepared statement	15
Biti, Tendai, former Finance Minister and opposition leader, Harare, Zimbabwe	17
Prepared statement	19
Mavhinga, Dewa, Southern Africa Director, Human Rights Watch, Johannesburg, South Africa	21
Prepared statement	24

THE FUTURE OF ZIMBABWE

TUESDAY, DECEMBER 12, 2017

U.S. SENATE,
SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:08 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Jeff Flake, chairman of the subcommittee, presiding.

Present: Senators Flake [presiding], Young, Booker, Coons, and Udall.

OPENING STATEMENT OF HON. JEFF FLAKE, U.S. SENATOR FROM ARIZONA

Senator FLAKE. This hearing of the Senate Foreign Relations Subcommittee on Africa and Global Health will come to order.

History was made in Zimbabwe last month when Robert Mugabe's nearly 4 decades-long rule over Zimbabwe came to an abrupt end. Initially deposed by the military and placed under house arrest, Mugabe refused to resign. His Zanu-PF Party removed Mugabe as its leader and replaced him with Emmerson Mnangagwa. Now, days later, Mugabe resigned just after parliament began impeachment proceedings and Mnangagwa was sworn in as Zimbabwe's new president on November 24th.

News of Mugabe's resignation prompted celebrations in the streets of Harare and even among Zimbabweans living outside the country, all of whom hoped that Zimbabwe's days of living under a strongman were over.

Those of us who watch Zimbabwe closely are also hopeful that this marks a turning point for the country that has suffered complete economic devastation under a dictator who stifled dissent and trampled basic human rights. Zimbabwe has a new president, but the critical questions of whether the new government reflects material change from Mugabe's decades of rule and what path Zimbabwe is likely to take under President Mnangagwa—these are things still left unsettled.

President Mnangagwa is not unknown to us. Until his dismissal as First Vice President last month, he had been closely allied with President Mugabe since Mugabe's rise to power. He stands accused of orchestrating a string of massacres in the early 1980s to consolidate Mugabe's power, leaving as many as 20,000 people dead in Matabeleland. His cabinet picks have disappointed many who were hoping for a new coalition government. His selections included military leaders who participated in the military takeover and hold-

overs from the Mugabe regime, but nobody representing the opposition.

There has been much speculation on what policy changes Mnangagwa might take given the dire state of Zimbabwe's failing economy and the critical steps needed to repair it.

Today the subcommittee will hear testimony from four distinguished experts on Zimbabwe. Each brings a unique background and a wealth of experience with them. I thank each of you for your time and sharing your expertise with us. I know that each of you have rearranged your schedules to travel to Washington for this hearing, and on behalf of the committee, I thank you for it.

Let me just say as a personal note I lived in Zimbabwe for a time in the early 1980s at a time there was great hope for this new democracy. And that hope faded sometime in the 1990s, and it has become a nightmare for so many Zimbabweans living there and their families abroad. I hope that this marks a turning point, and what this hearing is really about is to find out what policies we should adopt here in the United States Congress to ensure, as much as we can, to nudge at least Zimbabwe toward a democratic future.

So thank you for being here, and I will turn the time over to Senator Booker.

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

Senator BOOKER. Thank you very much, Mr. Chairman.

Did you say you lived there in the 1950s? [Laughter.]

Senator FLAKE. 1980s.

Senator BOOKER. 1980s, okay.

I want to thank Chairman Flake for holding this timely hearing. It is something I am really grateful for. This is truly a historic time in Zimbabwe and a pivotal moment in the United States' bilateral relationship with Zimbabwe.

For decades, Congress has played a key role in the U.S.-Zimbabwe bilateral relationship, most notably through the Zimbabwe Democracy and Recovery Act, or ZDERA, passed in 2001 which aimed to address persistent human rights violations and governance challenges by prohibiting U.S. support for multilateral and bilateral debt relief and credit for Zimbabwe's government.

Much of the world, including the people of Zimbabwe, were optimistic last month after President Mugabe was ousted from power, closing nearly 40 years of authoritarian rule. It is the hope of many, including myself, the transition from President Mugabe to President Emmerson Mnangagwa has represented a renewed opportunity for democracy, transparency and accountability for the government and, most importantly, for all the people of Zimbabwe.

However, I am concerned that despite the promises made by President Mnangagwa to rooting out corruption, to having free and fair elections, and to overseeing an inclusive government, there is simply not yet enough proof that this regime will be any different than the one before. We know that President Mnangagwa has announced a cabinet stacked with former close associates and military officials. In addition to them being involved in past atrocities, many cabinet members also have serious corruption allegations

against them. This raises questions about the government's commitment to a new democratic, renewed path forward in Zimbabwe. And although President Mnangagwa promised an inclusive and representative democracy for all Zimbabweans, the opposition remains left out of the government, seeing an ominous sign about the prospect for real change for the country.

The new Government of Zimbabwe and the international community must address the yet unanswered calls for justice and accountability for the victims of past horrific atrocities reportedly committed by members of the now new government. Perpetrators of the brutal cleansing of political opposition in Matabeleland region in the 1980s in which 20,000 people were killed still have not been held accountable after all of these years. Thousands of Zimbabweans still live with the physical and psychological wounds of this violence.

As we examine the future of Zimbabwe, one benchmark on the horizon is this August's elections. Free, fair, and credible elections that are transparent, free from intimidation and in which the opposition is allowed to organize, campaign, and safely run their candidates must be the signal the U.S. and the international community needs to lift some of the barriers to bilateral and mutual aid. This benchmark may, in fact, determine whether Zimbabwe is ready to capitalize on this historic moment.

I thank our witnesses for being here. And again, as Chairman Flake said, you all have crisscrossed the globe, changed travel plans to be here to provide your very thoughtful, insightful testimony. I am grateful for you. Thank you.

Senator FLAKE. Thank you, Senator Booker.

Senator Coons, would you like to say something? Senator Coons and I traveled to Zimbabwe almost 2 years ago.

**STATEMENT OF HON. CHRISTOPHER A. COONS,
U.S. SENATOR FROM DELAWARE**

Senator COONS. Thank you, Chairman Flake and Ranking Member Booker. I will never forget our memorable afternoon tea with former President Mugabe. And I think many have waited and wondered when the day would come when Zimbabwe would have new leadership.

As the chair and ranking have framed I think very well, the question now is what will the new government of Zimbabwe do. Will they take the steps needed in order to earn the trust of the world community? Can we find ways to support movement towards real democracy and a truly open society or not?

I am very eager to hear from our two panels of witnesses today.

Thank you, Mr. Chairman, for a chance to participate in the hearing.

Senator FLAKE. Thank you.

We will now turn to our witnesses. On the first panel, we will hear from Acting Principal Deputy Assistant Secretary of State Stephanie Sullivan of the State Department's Bureau of African Affairs. She will provide the administration's evaluation of recent events and the path forward to our bilateral relations with Zimbabwe.

On the second panel, we will hear from Peter Godwin, Tendai Biti, and Dewa Mavhinga.

We know that Peter Godwin, obviously an award-winning journalist, best selling author, has written a series of memoirs about his native Zimbabwe where he was born and raised. I particularly enjoyed those memoirs.

Tendai Biti, obviously a former finance minister for Zimbabwe, current opposition leader, and Dewa Mavhinga, an activist with the Human Rights Watch.

With that, I recognize Ms. Sullivan.

STATEMENT OF HON. STEPHANIE SULLIVAN, ACTING PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Ambassador SULLIVAN. Chairman Flake, Ranking Member Booker, and distinguished members of the committee. Thank you for the invitation to testify today on Zimbabwe.

The historic turn of events featuring Robert Mugabe's resignation offers an extraordinary opportunity for Zimbabwe to set itself on a new path. Today I provide this testimony to discuss our bilateral relationship, the events leading to the transition, and a U.S. position on future engagement.

Looking back over the past two decades, the U.S. relationship with the Zimbabwean Government has been tense. The government's repeated violations of its citizens' rights, its catastrophic economic mismanagement, and widespread corruption were obstacles, making it difficult to engage effectively to address Zimbabwe's challenges. Deeply flawed elections in 2008 and 2013 further entrenched political divides in the country, diverting attention from much needed reform.

Nevertheless, the United States has maintained a strong relationship with the Zimbabwean people. Since Zimbabwe's independence in 1980, we have provided significant development assistance in the areas of health, food security, education, and economic opportunity for citizens. Today, our assistance builds resilience by helping millions of Zimbabwe's people battle HIV/AIDS, tuberculosis, malaria, food insecurity, malnutrition, landmines, and human trafficking. Additionally, civil society programs bolster civic participation to advance democracy, human rights, and governance. These programs are critical in enabling Zimbabweans to hold their government accountable. None of our foreign assistance involves direct funding to the Government of Zimbabwe.

Over the last 2 years, the competing factions within the ruling party, the African National Union-Patriotic Front, Zanu-PF, engaged in a bitter and public power struggle aimed at determining President Mugabe's successor. Grace Mugabe's rise in power unsettled others in the party who derived their legitimacy from their ties to Zimbabwe's independence struggle. These dynamics led to then-Vice President Emmerson Mnangagwa's dismissal on November 6th. Military actions, purportedly in defense of President Mugabe, the party, and war veterans, followed.

Over the next several days, the world watched as hundreds of thousands of Zimbabweans marched in the streets and parliamen-

tary impeachment proceedings began. Mugabe resigned on November 21st, ending his 37 years of rule.

The rapid turn of events appears to have unified the people of Zimbabwe around a sense of hope and possibility for the future. The change in government also offers an opportunity for reform that could allow the United States to reengage in ways we have not recently been able to do. In support of the people, we will expect to see genuine economic and political reform, including free and fair elections in 2018 in accordance with Zimbabwe's constitution.

U.S. engagement with newly inaugurated President Mnangagwa and his administration must be based on demonstrated behavior not merely rhetorical intentions. President Mnangagwa has a window of opportunity to demonstrate his commitment to a democratic, just, healthy, and prosperous Zimbabwe. Our policy of reengagement will focus on constitutional democracy, free and fair elections, respect for human rights and the rule of law, and an improved trade and investment climate, among other issues. The country has a strong civil society and an experienced political opposition whose voices must count in charting a path forward.

The military needs to return to its barracks and state institutions should be demilitarized. Perpetrators of abuses against civilians should be held accountable regardless of party affiliation. The government must engage in hard economic reforms, including addressing budget deficits, reforming the Indigenization Act, and reducing corruption. We will want to see improved protection of fundamental freedoms, a freer media, and a truth and reconciliation process. The people of Zimbabwe deserve these reforms and many more.

We welcome President Mnangagwa's statement of intent to carry out economic reforms made during his inauguration speech, and we are assessing the budget released last week. We believe critical political reforms deserve equal attention and cannot wait. In particular, elections must be free, fair, credible, and inclusive, allowing Zimbabweans to choose their own leaders. Everyone in Zimbabwe should enjoy the right to peaceful assembly without undue interference and to voice their opinions and their vote without fear.

We are working closely with international partners in Harare and our respective capitals. Similarly, the State Department will continue to consult with Congress, the White House, and other agencies on our policies regarding Zimbabwe. If President Mnangagwa wants improved diplomatic relations and access to international assistance and cooperation, particularly with the United States, his government must first implement reforms.

The United States stands ready to help the government and people of Zimbabwe to achieve these goals. U.S. private sector members are eager for improvements in the business climate that will encourage them to invest and trade. They see promise in agriculture, tourism, energy, and mining. People-to-people exchanges are important as well. We will continue using our vibrant exchange programs to foster a better understanding of the United States amongst Zimbabwe's future leaders and vice versa. We will continue to encourage Zimbabwe's highly educated populace to study in the United States. And we will strengthen internal networks that build professional savvy and entrepreneurial skills.

We believe in a stable, peaceful, prosperous, and democratic Zimbabwe that reflects the will of its people and provides for their needs.

Thank you very much, and I welcome the opportunity to answer the committee's questions.

[Ambassador Sullivan's prepared statement follows:]

PREPARED STATEMENT OF HON. STEPHANIE SULLIVAN

Chairman Flake, Ranking Member Booker, and distinguished members of the committee, thank you for the invitation to testify today on Zimbabwe.

The historic turn of events, featuring Robert Mugabe's resignation, offers an extraordinary opportunity for Zimbabwe to set itself on a new path. Today, I provide this testimony to discuss our bilateral relationship, the events leading to the transition, and the U.S. position on future engagement.

Looking back over the last two decades, the U.S. relationship with the Zimbabwean Government has been tense. The Government's repeated violations of its citizens' human rights, its catastrophic economic mismanagement, and widespread corruption were obstacles, making it difficult to engage effectively to address Zimbabwe's challenges. Deeply flawed elections in 2008 and 2013 further entrenched political divides in the country, diverting attention from much-needed reform.

Despite a tense bilateral relationship with the Government of Zimbabwe, the United States has maintained a strong relationship with the Zimbabwean people. Since Zimbabwe's independence in 1980, we have provided significant development assistance in the areas of health, food security, education, and economic opportunity for citizens. Today, our assistance builds resilience by helping millions of Zimbabwe's people battle HIV/AIDS, tuberculosis, malaria, food insecurity, malnutrition, landmines, and human trafficking. Additionally, civil society programs bolster civic participation to advance democracy, human rights, and governance. These programs are critical in enabling Zimbabweans to hold their government accountable. None of our foreign assistance involves direct funding to the Government of Zimbabwe.

Over the last two years, competing factions within the ruling party—the Zimbabwe African National Union-Patriotic Front (ZANU-PF)—engaged in a bitter and public power struggle aimed at determining President Mugabe's successor. Grace Mugabe's rise in power unsettled others in the party who derived legitimacy from their ties to Zimbabwe's independence struggles. These dynamics led to then-Vice President Emmerson Mnangagwa's dismissal on November 6 and military actions purportedly in defense of President Mugabe, the party, and war veterans shortly after.

Over the next several days, the world watched as hundreds of thousands of Zimbabweans marched in the streets and parliamentary impeachment proceedings began. Mugabe resigned on November 21, ending his 37 years of rule.

The rapid turn of events appears to have unified the people of Zimbabwe around a sense of hope and possibility for the future. The change in government also offers an opportunity for reform that could allow the United States to re-engage in ways we have not recently been able to do. In support of the people, we will expect economic and political reform, including free and fair elections in 2018 according to Zimbabwe's constitution.

U.S. engagement with newly-inaugurated President Mnangagwa and his administration must be based on demonstrated behavior, not rhetorical intentions. President Mnangagwa has a window of opportunity to demonstrate his commitment to a democratic, just, healthy, and prosperous Zimbabwe. Our policy of re-engagement will focus on constitutional democracy, free and fair elections, respect for human rights and the rule of law, and an improved trade and investment climate, among other issues. The country has a strong civil society and experienced political opposition, and their voices must count in charting a path forward.

We must judge the new administration on its current and future actions. Along the way, there will be many actions that we will need to assess, as we look to re-engage. We will need to see free and fair elections. The military needs to return to its barracks and state institutions should be demilitarized. Perpetrators of abuses against civilians should be held accountable regardless of party affiliation. The Government must engage in hard economic reforms, including addressing budget deficits, reforming the Indigenization Act, and reducing corruption. We will want to see

improved protection of fundamental freedoms, a freer media, and a truth and reconciliation process. The people of Zimbabwe deserve these reforms, and many more.

We welcome President Mnangagwa's statement of intent to carry out economic reforms during his inauguration speech, and we are assessing the budget that was released last week. We believe critical political reforms deserve equal attention and cannot wait. In particular, elections must be free, fair, credible, and inclusive, allowing Zimbabweans to choose their own leaders. Everyone in Zimbabwe should enjoy the rights to peaceful assembly without undue interference and to voice their opinions—and their vote—without fear.

We are working closely with international partners in Harare and in our respective capitals. Similarly, the State Department will continue to consult with Congress, the White House, and other agencies on our policies with respect to Zimbabwe. If President Mnangagwa wants improved diplomatic relations and access to international assistance and cooperation, particularly from the United States, it is our position that his government must first implement reforms.

The United States stands ready to help the Government and the people of Zimbabwe to achieve their goals. U.S. private sector members are eager for improvements in the business climate that will encourage them to invest and trade. They see promise in agriculture, tourism, energy, and mining. People-to-people exchanges are important connectors as well. We will continue utilizing our robust and vibrant exchange programs to foster a better understanding of the United States amongst Zimbabwe's future leaders, and vice versa. We will continue to encourage Zimbabwe's highly educated populace to study in the United States. We will strengthen internal networks that build professional savvy and entrepreneurial skills.

We believe in a stable, peaceful, and democratic Zimbabwe that reflects the will of its people and provides for their needs.

Thank you very much. I welcome the opportunity to answer the committee's questions.

Senator FLAKE. Thank you, Ms. Sullivan.

Let me start out. You mentioned that our relationship with the new president and the new government will be based on reforms that they have undertaken and on behavior and not just rhetoric. What do you make of the moves so far with regard to assembling a new government and cabinet?

Ambassador SULLIVAN. As the committee has pointed out, the government is composed of many people who were previously in the government. So it is a bit disappointing to see a lack of opposition members, although it is not 100 percent clear that opposition members were ready to participate in the current government. We will look to engage with the government to continue to press for actual implementation of some of these rhetorical signs of improvement in both the economic and political sphere.

Senator FLAKE. Taking a step back, the Zimbabwe military went to great lengths to try to explain that this was not a coup, but rather a military realignment or some type of realignment. What are we calling it as far as the State Department goes?

Ambassador SULLIVAN. Clearly there was military involvement in events that led up to the resignation of President Mugabe. We have not labeled it a coup. This is a very technical term that our lawyers and others are looking at at the moment. Normally if it is determined a coup, it would trigger a cutoff of direct assistance to the government. At the moment, we have no direct financial assistance to the Government of Zimbabwe.

Senator FLAKE. Usually it is a pretty good rule of thumb that when somebody dressed in fatigues who has just taken over the broadcast facilities gives a statement, that is usually what it feels like.

With regard to the changes that need to be made, we have an outsized influence, obviously, at the IMF, World Bank. What do we plan to do with regard to—there will be efforts made by some outside governments and organizations to relieve some of the sanctions and to free up money or funding in the coming months. What will be our position?

Ambassador SULLIVAN. While we are engaging with the new government with an open mind, it is not enough to say it is a new government, so therefore none of the sanctions or restrictions that were previously in place should apply. We will continue to look for signs of actual implementation, for example, the election that is coming up. There are months and months of preparation that need to lead up to that, and we would be interested to see an openness or an invitation to send outside observers potentially as part of a group that might be led by an eminent African. And these are things that would need to happen fairly soon and could give some indication of the intentions beyond the nice speeches.

Senator FLAKE. Do we have any documents yet or timelines that we have put forward or perhaps that we can look at that the opposition leaders or others have stated that need to happen in terms of by this date, voter rolls need to be complete; by this date, such and such has to come down? Is there anything that has been put together in that regard yet?

Ambassador SULLIVAN. We have not seen an actual timeline leading up to the elections. There was encouraging news that the period for voter registration has been extended into February. We are looking at what a lot of members of civil society have put forth as requests or demands for the new government vis-a-vis actual democratic steps, and we are working very closely with our likeminded partners and trying to remain in sync with them both in Washington and Harare and other capitals.

Senator FLAKE. Thank you.

Senator Booker?

Senator BOOKER. I am going to allow Senator Coons to go first.

Senator COONS. Thank you, Senator Booker. Thank you, Chairman Flake.

And thank you, Ambassador Sullivan. It is great to have an opportunity to talk with you and to the next panel about the transition underway in Zimbabwe and what the future might hold. As Senator Flake referenced, we met with former President Mugabe in February, 2016, and like many, I was very pleased to see him go after 37 brutal years. But I think it is critical that the people of Zimbabwe not see one dictator replaced by another. And so I, for one, am reluctant to see us take any steps to lighten or relieve sanctions or other international restrictions on loans or partnership until we see, as you suggested in your testimony, concrete steps by the administration of Emmerson Mnangagwa and any successors.

So walk me through three things, if you would. What are the key milestones for us to watch for to get a sense of Emmerson Mnangagwa's capacity and willingness to enter significant reforms?

Ambassador SULLIVAN. Thank you, Senator.

As far as governance goes and respect for human rights, we would like to see immediate implementation of freedom of expression that has been lacking for decades in Zimbabwe, freedom of as-

sembly. We are looking also for a free and responsible media, including social media, the preparations for the elections, as I mentioned, anticorruption. I believe they have given a 90-day window for people to return ill-gotten gains as an amnesty. Will that happen? Will corruption be pursued in an impartial way, in an apolitical way? How will things progress in terms of rule of law and due process? Those are on the governance side.

On the economic side, the country is crumbling under crushing debt. We also have a very low doing-business environment there that is a deterrent. So we would like to see an improved investment climate. Since investors vote with their feet, they are watching very closely because there are potential opportunities there. But investors want to be able to repatriate their earnings. Again, the rule of law and a level playing field will be very important in the economic sphere as well.

In addition, in the security sector, we would like to see the security sector earn the trust of the citizens, and that would include police reforms.

Senator COONS. I was struck that the budget request for this year for Zimbabwe, if I understood correctly, dropped almost \$60 million from the previous year and included no requests for democracy and governance programs. It is my expectation that there might be some reprogramming request or some increased willingness to partner with the robust civil society and free press that you referenced.

What sort of role do you imagine that USAID and the State Department should play in the run-up to free and fair elections if we are genuinely making progress?

Ambassador SULLIVAN. All of our influence is not necessarily tied up with the dollar figure. But to address that point, we do have some flexibility with some regional funds that we could target if we saw an opportunity that looked viable there. I think that our diplomats have a wonderful opportunity to use the bully pulpit, to coordinate with likeminded international partners, and also to continue engaging with civil society organizations with whom we may not be currently giving assistance but with whom we have cultivated relationships over the years because fundamentally this will be about the people of Zimbabwe and we want to support their aspirations for a country that can reach its full potential.

Senator COONS. Last question. So China has long had an active role in Zimbabwe during the liberation struggle until now. What do you see as their influence in Zimbabwe compared to the United States? What do you see as their trajectory in Zimbabwe? And what do you think are their interests or their priorities compared to ours? I agree with you that this is essentially up to the people of Zimbabwe, and the actions that will determine their future will be taken by Zimbabweans. But it seems to me that this is a moment for the United States to show principled leadership, active engagement and interest. But I am wondering what another major influencer in this country has in mind for their short-term agenda as well.

Ambassador SULLIVAN. Well, as throughout the continent, China is very interested in resource acquisition and, in their interactions with the various host governments, has taken a very hands-off ap-

proach in terms of what they might consider undue influence or foreign interference. So we do not expect there will be any change in terms of China's approach, but I think we have a window for the United States to engage in a way we have not been able to engage that will involve U.S. businesses, which of course are private and we cannot compel them to engage the way others perhaps have an opportunity with the state-owned enterprises to engage.

Senator COONS. Well, thank you, Ambassador Sullivan.

Thank you, Chairman Flake.

I think you will see significant and sustained interest from members of this subcommittee and other committees of the Congress as we try and encourage and support a movement towards a genuinely open and democratic society in Zimbabwe.

Thank you.

Senator FLAKE. Thank you, Senator Coons.

Senator Udall?

Senator UDALL. Thank you, Chairman Flake, and thank you for holding this important hearing. We really appreciate you being here.

On November 17, 2017, the Department of the Interior published its determination that Zimbabwe was sufficiently stable to allow for the illegal importation of elephant trophies into the United States. This announcement was based on ratification of a new conservation plan in Zimbabwe in 2016. In the opinion, the trophy hunting adds to the overall conservation of the species.

The announcement, however, coincided with the coup of former President Robert Mugabe and a transfer of power to his Vice President, underscoring the great instability in the region. Because of these events, the President tweeted that he would put the policy on hold, which I appreciate very much.

Wildlife trafficking decimates iconic species while funding global terror organizations. The chairman of this committee and I have worked hard to stem the tide of poaching and illegal wildlife trafficking across the globe, and I am proud of our bipartisan work in the last Congress to provide agencies and international institutions the funding and tools necessary to stymie and interdict wildlife trafficking. But I worry that the current administration's findings for the elephant and the lion will undermine that progress.

Do you believe that Zimbabwe has adequate institutional controls to properly manage wildlife?

Ambassador SULLIVAN. That decision is currently being reviewed at the Fish and Wildlife Service in the Department of the Interior.

As far as the stability or not at the moment, we are taking very much a wait-and-see approach, but we are not sitting on our hands, staying home. We are engaging actively with members of the new government, with civil society, with other influential actors on the ground. So I think the answer to that would be it is too early to say what the level of stability is.

Senator UDALL. And do you believe that in this period of upheaval, the government can regulate hunting of iconic species, including lions and elephants, in a manner that will prevent illegal wildlife trafficking?

Ambassador SULLIVAN. While there has been upheaval, there also seems to be a great deal of continuity, if you look at the cabi-

net that is currently in place. So at this point, again, I would say that we are going in with our eyes wide open and this remains an area that we look at in terms of U.S. policy and also what it might mean to the Zimbabwean ecotourism industry. And they are looking for diversification of the economy. They have an opportunity to increase the 50,000 or so American tourists who go there. So we are just going to have to wait and see regarding their ability to manage. And this might be part of security sector reforms that we could potentially look at.

Senator UDALL. Thank you for that answer. Media reports indicate that Zimbabwe's electoral commission chairperson, Justice Rita Makarau, resigned abruptly on Friday without any rationale. The press is speculating that she was pressured to resign, and opposition leader Morgan Tsvangirai said that Makarau's resignation had opened a can of worms.

What do you know about her successor and whether the change in leadership of the commission will make credible elections next year more or less likely?

Ambassador SULLIVAN. Senator, I would like to take that question back and respond for the record.

Senator UDALL. That would be good.

[The information requested had not been received when this hearing went to press.]

Senator UDALL. Thank you very much.

Thanks, Mr. Chairman.

Senator FLAKE. Thank you.

Senator Booker?

Senator BOOKER. Thank you so much.

So I am just trying to understand the administration's position given things that are going on right now. You have talked about a lot of reforms, that we are looking and waiting for reforms on this coming election and how important that is, a desire potentially to send election observers. You talked about reforms in government, talked about reforms in the mining industry.

Could you just tell me a little bit more about what leverage you think we have to ensure that we can see—let us start with free and fair elections—to see that those elections happen. Is there any ways that you think we have to further leverage that or something that Congress could be doing?

Ambassador SULLIVAN. I will take the latter part of that question first, if I may.

We certainly welcome engagement of Congress and travel to the region, letters, engagement, and we will continue to work with you on the way forward.

As far as the leverage, I think we see in place a new government that is eager to have a sense of legitimacy that the predecessor government lacked despite the fact that it is a lot of the same people. Again, it offers an opportunity that we would like to try to work with and induce in a positive direction.

The country is having a severe economic crisis and that is another point of leverage that without the reforms, there will not be good things happening on the economic front.

And then finally, we are very tightly latched up with our likeminded counterparts in country and having ongoing discussions with them about the preparations for the elections.

Senator BOOKER. So can I interrupt you there?

Ambassador SULLIVAN. Sure.

Senator BOOKER. Because there have been reports that the British Government may consider extending a bridge loan to Zimbabwe in order to clear unpaid arrears and open up funding from the IMF and World Bank. Has the British Government given you an indication that they plan to do this?

Ambassador SULLIVAN. We do not have any direct knowledge of that. We have seen some similar reporting. Acting Assistant Secretary Don Yamamoto was just in London this week. I am positive that Zimbabwe came up in the conversations. As far as I know, that specific angle did not come up, and we remain in a very united approach to this.

Senator BOOKER. Okay. Great.

The accountability for atrocities, which is I think something that—I am sure you agree—is of profound importance. Tens of thousands have been killed in numerous, unfortunately, raids and operations and massacres. Church groups have documented an alarming record of government-sponsored atrocities before the 2008 elections. We see the State Department said in 2000 that Mnangagwa was widely feared and despised throughout the country—that is the State Department's words—and could be an even more repressive leader than Mugabe.

And so I understand that you are sort of having a wait-and-see and see if we can have inducements. But clearly when it comes to accountability for atrocities, if there seems to be so much compelling evidence that this is someone that participated in this, how do you level that with our policies towards this new administration?

Ambassador SULLIVAN. Well, one of the things we will be looking for is for the people and the Government of Zimbabwe to organize some sort of a truth and reconciliation process so that they can work through these traumas of the past.

As far as President Mnangagwa, he remains under U.S. sanctions. And again, this is the government that is in front of us right now, and we are going to try to work to engage positively. He, in his inauguration speech, really wanted people to look forward and forget about the past. We are not going to forget about the past. We are going to keep that in mind as we deal with him and other members of the government, but again, not just appeal to their better natures but try to help the government and the people of Zimbabwe move forward beyond this very, very dismal past track record of human rights.

Senator BOOKER. Just, you know, be candid with me, if you can, to expect a government led by someone who participated and was responsible for horrific violations, horrific human rights atrocities, to expect there to be a real truth and reconciliation coming from a government led by someone who has a record that from our own State Department seems to be so horrific—should we really be expecting there to be a real truth and reconciliation process?

Ambassador SULLIVAN. Well, we certainly do not believe this will be a spontaneous course of action without a great deal of pressure

and discussion, and it is not just the United States. It is also, as I mentioned earlier, the likeminded partners and a very active civil society. There were so many people out in the streets celebrating the prospect of a new Zimbabwe. They have high expectations, and we think in some ways maybe not dramatically yet but the lines have moved and the kinds of oppression that people felt obliged to withstand in the predecessor regime—I think that it has been a bit of a game changer despite the fact that it is a lot of the same people who are running the show at this point.

Senator BOOKER. Thank you, Mr. Chair.

Senator FLAKE. Thank you, Ambassador Sullivan, for your testimony. We will now turn to our other panel and give them a few minutes. We will recess for just 2 minutes while the new panel comes. I appreciate the answers you have given today.

Ambassador SULLIVAN. Thank you.

[Recess.]

Senator FLAKE. This hearing of the Senate Foreign Relations Subcommittee on Africa and Global Health will now come back to order.

The subcommittee has just heard testimony from Principal Deputy Assistant Sullivan representing the administration's view. Now we will hear from the second panel, each of whom has deep personal experience with Zimbabwe. In this group, we have an award winning journalist, a former government minister, and an NGO activist. All have raised their voices in opposition to Robert Mugabe and the Zimbabwean Government using different platforms. All have deep roots in Zimbabwe. Two of the witnesses were in Zimbabwe during the military takeover. One is a former constitutional lawyer. Two have been human rights attorneys. All have strong personal interests, obviously, in Zimbabwe's future and are using their unique talents to raise awareness of the issues and to change lives in Zimbabwe.

First we will turn to Peter Godwin, award winning journalist, best selling author, documentary filmmaker. He has written extensively about his own experiences growing up in Zimbabwe and of human rights abuses committed under Mugabe's leadership with the support of the new President, Emmerson Mnangagwa.

Tendai Biti is currently a key opposition leader in Zimbabwe. He served as Zimbabwe's minister of finance from 2009 to 2013 as part of the Government of National Unity. He was a secretary-general of the Movement for Democratic Change and is now president of the People's Democratic Party. As a former finance minister, Mr. Biti is uniquely poised to address economic and corruption issues in Zimbabwe.

Last but not least, Dewa Mavhinga is Southern Africa Director of the Africa Division of Human Rights Watch. In 2012, he co-founded the Zimbabwe Democracy Institute, a public policy research think tank in Harare. Mr. Mavhinga was also in Zimbabwe during the military takeover, updating a wide audience via Twitter on the events there.

With that, we will recognize Mr. Godwin.

**STATEMENT OF PETER GODWIN, AUTHOR AND
JOURNALIST, NEW YORK, NY**

Mr. GODWIN. Thank you, Chairman Flake, Ranking Member Booker, and other members. Thank you for inviting us and for being interested in Zimbabwe in a world where I am sure you have many other things to distract you right now.

Just before dawn on November the 14th, General Sibusiso Moyo of the Zimbabwe National Army went onto state television to announce that Robert Mugabe was under house arrest. Mugabe's 37-year reign—he was Zimbabwe's only leader since independence in 1980—was over. Zimbabweans soon poured out onto the streets to celebrate.

Mugabe had been unseated by an internal faction fight within his ruling Zanu-PF party. It was not primarily ideological or even ethnic. It was essentially a family feud on steroids, and it pitted old against young. His wife Grace, who made a bid to succeed him, is 41 years his junior, too young to have fought in the liberation war, hitherto a sine qua non for leadership of most southern African liberation parties. Her attempt to create a dynastic succession, a la Evita Peron, Imelda Marcos, or Madam Mao, proved premature.

Over his 37 years in power, Mugabe had hollowed out Zanu-PF, reducing it to a personality cult by getting rid of anyone who challenged his authority.

But Grace overreached when she persuaded her increasingly enfeebled husband to fire his Vice President Emmerson Mnangagwa, her main rival. This was too much for the military leadership who had close ties to Mnangagwa as he had held defense and intelligence portfolios for much of his ministerial career.

I think you can expect Mnangagwa to be strongly in hock to the military who, after all, elevated him to the presidency. In the end, this was a continuity coup to protect the power of the party's old guard.

General Moyo, who announced the coup, is the new foreign minister, the country's official interlocutor with the world. Air Marshal Perrance Shiri is promoted to the cabinet too. He was the officer commanding 5th Brigade at the time of the Matabeleland massacres in the early 1980s. And it is speculated that General Constantino Chiwenga, head of the Zimbabwe National Army and architect of the coup, may be named Vice President. Even if not, he will continue to be the power behind the throne, the king-maker.

The veterans of the liberation war for independence are once again ascendant too. Their leader, Chris Mutsvangwa, has been named as special advisor to the new president.

And what are we to make of the new president? You should expect Mnangagwa to entice his own people and the world with a reformist stance. He will try to rebrand the party, presenting it as Zanu-PF 2.0, Zanu-PF lite, non-ideological, technocratic, managerial, open for business, safe once more for foreign investors. He has already mentioned a partial return of land to some white commercial farmers. He has embraced the rhetoric of anticorruption, offering a 3-month amnesty window to return ill-gotten gains.

But these promises do not stand up to scrutiny.

What, for example, of his own corruption and that of many of the new cabinet—8 of the 22 are on the U.S. sanctions list—joined by bonds of massively corrupt self-enrichment and repressive political violence? For them to put distance between who they now purport to be and their nearly four-decade record in office is preposterous. And for Zimbabweans, as well as the international community, to believe this is to fall for a Zanu-PF confidence trick, a survival bait and switch.

Zanu-PF has long been a vampiric entity, sucking the blood from the nation. Mnangagwa is 75 years old. He is most unlikely to undergo a benign metamorphosis. He has been at the very center of Zanu-PF's repressive security web, until recently Mugabe's trusted consiglieri. He headed the feared Central Intelligence Organization, the CIO, at the time of the Matabeleland massacres, during which upwards of 20,000 civilians were killed. And he rolled out the terrible reprisal campaign during the post-2008 election violence when thousands of opposition supporters were badly tortured and more than 200 killed. All of these and more besides were carried out by this same political party, kleptocratic, violent, repressive.

What are the alternatives for Zimbabweans in the 2018 elections? You have before you today a senior member of the main opposition party, the MDC, so I will defer to him to summarize his own party's current status.

However, opposition fragmentation is enormously beneficial to Zanu-PF, allowing it a real possibility of winning at the polls even if opposition parties attract more votes overall. For the opposition, it is, therefore, imperative to unify or at least broker electoral pacts. It is also crucial that the elections are free and fair and perceived as such by the electorate. Zanu-PF has a long precedent of electoral foul play.

If this is to be avoided in 2018, external monitoring will be essential. It is quite inadequate for observers to parachute into Zimbabwe shortly before the poll. There must be a persistent presence on the ground long, long before that, as registration procedures need to be scrutinized.

In conclusion, if we reward Mnangagwa's "same as it ever was" Zanu-PF for its internal coup, for example, by prematurely dropping individual sanctions, we would help cement the culture of impunity that already infects Zimbabwe, where the perpetrators never face the consequences of their actions and where real freedom and reform remain elusive.

Thank you.

[Mr. Godwin's prepared statement follows:]

PREPARED STATEMENT OF PETER GODWIN.

ZIMBABWE'S FUTURE—THE STATE OF GOVERNANCE
AFTER MILITARY INTERVENTION

Just before dawn on November 14th, General Sibusiso Moyo of the Zimbabwe National Army went onto state television to announce that Robert Mugabe, was under house arrest. His 37-year reign, Zimbabwe's only leader since independence in 1980, was over. Zimbabweans soon poured out into the streets to celebrate.

Mugabe had been unseated by internal faction fighting within his ruling Zanu-PF party. It wasn't primarily ideological or ethnic, it was a family feud on steroids, it pitted old against young. His wife Grace made a bid to succeed him. Forty-one years his junior—she was too young to have fought in the liberation war, hitherto

a sine qua non for leadership of southern African liberation parties. Her attempt to create a dynastic succession, a la Evita Peron, Imelda Marcos (with whom she shared a penchant for shoes, favoring Ferragamo because her feet were “too narrow for anything else”), or Madam Mao, proved premature, and it triggered her husband’s political demise.

Over those years Mugabe had hollowed out Zanu-PF, reducing it to a personality cult by getting rid of anyone who challenged his authority, until he was attended only by fawning party punkah wallahs, fanning his ego, prancing around in ludicrous regalia bearing his image, as though he were a religion.

Ultimately Grace over-reached when she persuaded her increasingly enfeebled husband to fire vice president Emmerson Mnangagwa, her main rival. This was too much for the military leadership who had close ties to Mnangagwa, as he held defense and intelligence portfolios for much of his ministerial career.

I think you can expect Mnangagwa to be strongly in hock to the military who, after all, elevated him to the presidency. In the end, this was a “continuity coup,” to protect the power of the party’s old guard.

General Sibusiso Moyo, who announced the coup, is the new foreign minister, the country’s official interlocutor with the world. Air Marshal Perrance Shiri is elevated to the cabinet too. He was the officer commanding 5th Brigade at the time of the Matabeleland massacres, in the early 1980s. And it’s speculated that General Constantino Chiwenga, head of the Zimbabwe National Army, and architect of the coup, may be named vice president. Even if not, he will continue to be the power behind the throne, the king-maker.

The veterans of the Liberation war for independence are once again ascendant too. Their leader, Chris Mutsvangwa, has been named as special advisor to the new president. Last time the war vets made their weight felt, Mugabe had to buy them off with ex gratia payments. Unbudgeted for, these payments cascaded through the economy resulting in the highest hyper-inflation the world has ever seen. By the end the Zimbabwe dollar was almost halving in value every 24 hours.

What are we to make of the new President? You should expect Mnangagwa to entice his own people and the world with a “reformist stance.” He will try to rebrand the party, presenting it as Zanu-PF 2.0, Zanu-PF-lite, non-ideological, technocratic, managerial, open for business, safe once more for foreign investors. He has already mentioned a partial return of land to some white commercial farmers, he has embraced the rhetoric of anti-corruption, offering a three-month amnesty window to return ill-gotten gains.

But these promises don’t stand up to scrutiny.

What, for example, of his own corruption, and that of many of his new cabinet—8 of the 22 are on U.S. sanctions list—joined by bonds of massively corrupt self-enrichment, and repressive political violence? For them to put distance between who they now purport to be, and their nearly four-decade record in office, is preposterous. And for Zimbabweans both within the country and in the diaspora, as well as the international community, to believe this, is to fall for a Zanu-PF confidence trick, a survival bait-and-switch.

Zanu-PF has long been a vampiric entity, sucking the blood from the nation. Mnangagwa is 75 years-old. He is most unlikely undergo a benign metamorphosis. He has been at the very center of Zanu-PF’s repressive security web, until recently Mugabe’s trusted consigliere. He headed the feared Central Intelligence Organization, the CIO, at the time of the Matabeleland massacre, during which upwards of 20,000 civilians were killed. And he rolled out the terrible reprisal campaign during the post-election violence of 2008, when thousands of opposition supporters were badly tortured and more than 200 killed. All of these and more besides, were carried out by this same political party, kleptocratic, violent, repressive.

What are the alternatives for Zimbabweans in the 2018 elections? You have before you today a senior member of the main opposition party, the MDC, so I will defer to him to summarize his own party’s current status. However, in general, Zimbabwe’s opposition is more divided than ever before. There are currently more than twenty separate parties, ten of them significant. And within the MDC, there are some tensions as its founding leader, Morgan Tsvangirai, has been seriously ill, and there is some pressure on him to stand down.

This opposition fragmentation is enormously beneficial to Zanu-PF, allowing them a real possibility of winning at the polls even if opposition parties attract more votes between themselves. For the opposition it is, therefore, imperative to unify or at least broker alliances or electoral pacts. It’s also crucial that the elections are free and fair, and perceived as such by the electorate. Zanu-PF has a long precedent of electoral foul play.

If this is to be avoided in 2018, external monitoring will be essential. It is quite inadequate for observers to parachute into Zimbabwe shortly before the poll (recent

approval of the Kenya elections tell a cautionary tale in this regard.) There needs to be a persistent presence on the ground long, long before that, as registration procedures need to be scrutinized.

In conclusion, if we reward Mnangagwa's "same as it ever was" Zanu-PF for its internal coup, for example, by prematurely dropping individual sanctions, we would help cement the culture of impunity that already infects Zimbabwe, where the perpetrators never face the consequences of their actions, and where real freedom and reform remain elusive.

Senator FLAKE. Thank you, Mr. Godwin.
Mr. Biti?

**STATEMENT OF TENDAI BITI, FORMER FINANCE MINISTER
AND OPPOSITION LEADER, HARARE, ZIMBABWE**

Mr. BITI. Thank you, Chairman Flake, Ranking Member Booker, and other members of the subcommittee. I come here with my colleagues from the opposition alliance known as the MDC alliance. I travel with the Ona Rapor and Nelson Chamisa and Mr. Jacob Ngarivhume. We thank you for inviting us to this great center of American democracy.

The 14th of November 2017 began a series of major life-changing events in Zimbabwe that will forever redefine the political and constitutional landscape of our country.

On that day, military tanks invaded the streets of the capital, Harare, and in the early hours of the 15th, the military captured Zimbabwe's broadcasting houses and made it clear implicitly that the executive was no longer in control.

On 18th November, hundreds of thousands of Zimbabweans marched alongside military personnel in the streets of Harare and Bulawayo and demanded the resignation of President Mugabe. On 21 November, in the middle of impeachment proceedings in parliament, President Mugabe quietly, if not inelegantly, announced his resignation.

With President Mugabe's departure, Zimbabwe now faces an uncertain future, but one which presents real opportunities for reconstructing, rebuilding, and refabricating a new Zimbabwean story and a new Zimbabwean society.

Without a doubt, the 37 years of President Mugabe's rule were a sad story of capture, coercion, corruption, poverty, and delegitimization. Zimbabweans lived in fear under a system that paid no respect to their rights and a system that saw continuous impoverishment and suffering, loss of livelihoods amongst ordinary citizens.

President Mugabe presided over one of the most autocratic African regimes that stood head and shoulders with the likes of current dictators like Obiang in Equatorial Guinea, Biya in Cameroon, Isaias Afewerki in Eritrea, al-Bashir in Sudan, and Yoweri Museveni in Uganda.

What we now need as a country is a genuine break from a tortured past and not a continuation of the old order. The new Zimbabwe, which the majority of people that marched on the 18th of November, 2017 crave for has to be founded on the values and principles of constitutionalism, the rule of law, a just and prosperous society. And in the new Zimbabwe, every citizen must be free to pursue life, liberty, and happiness.

And we contend, Mr. Chairman, that our country is in the middle of a transition, a transition from a very unhappy regime for 37 years of the torture and pain that I have described above. But like any transition, it can be a captured transition. It can be a derailed transition. It can be a hijacked transition. That is not what the thousands and thousands of people who marched on the 18th of November, 2017 are seeking for. Those people who marched in Harare, in Bulawayo, in New York, in Cape Town, in Johannesburg are looking for a fresh start, a genuine transition to a new Zimbabwean society.

But what is the precondition to move to this genuine transition? In our view, the starting point must be a return to true legitimacy, constitutionalism, and the rule of law. The road map to legitimacy is the fundamental precondition to the establishment of a sustainable, just, and free Zimbabwe. This road map must be anchored on clear benchmarks.

These include, number one, the immediate restoration of constitutionalism, the rule of law, and legitimate civilian rule. The military must be demobilized from the streets.

Number two and very importantly, the implementation of genuine electoral reforms to ensure that the election of July-August 2018 is free, fair, credible, and legitimate. Those electoral reforms must include, number one, the preparation of a brand new biometric voters' roll to which all political parties sign onto and agree to.

Number two, agreement on an independent electoral management body, particularly in the post-math of the resignation of the ZEC chairperson, Justice Rita Makarau.

Number three—and this is very important—the introduction of a diaspora vote. Zimbabwe has more than 4 million of its citizens that are in the diaspora. And in terms of section 67 of our constitution, they have the right to vote and that right to vote must be respected.

Number four, the introduction of international observation and poll monitors, who must come into Zimbabwe months before the election as opposed to the current practice where a few African observers come into Zimbabwe a few days before the election and they enjoy the fine hospitalities at the few remaining fine hotels in Zimbabwe.

Number five, we consider that there must be a defined role of the UN and its agencies in our electoral process. There must be full access to the media. There must be a safe environment for campaigning and voting, which is free from intimidation. And naturally there must be a repeal of the notorious Public Order and Security Act, the Access to Information and Protection Act, AIPPA.

Number three, there must be political and institutional reforms, which include aligning the country's laws with the 2013 constitution, and in particular actualizing the provisions dealing with devolution and the land question.

Number four, there must be a modicum of economic reforms that focus on macroeconomic stability, growing a shared economy, and addressing the huge challenge of unemployment and under-development.

Number five—and this is very key—given the levels of intolerance, the destruction of the social fabric of our country, we contend

that there must be the restoration of the social contract, including the renewal and rebirth of a new Zimbabwe that shuns corruption and promotes national healing and reconciliation.

The above road map must be guaranteed and underwritten by the international community. In this regard, the role of the African Union and the United Nations will be critical.

It will also be important for us as the opposition to give the people of Zimbabwe a genuine chance. It is important that we continue with the path of unity that we have demonstrated and are demonstrating back at home and that we put on the table programs that will address the fundamental challenges facing our people. And I am glad to say, Mr. Chairman, that this is exactly what we are doing.

We also contend that the new authorities must show some signs of a commitment to real transformation other than cosmetic statements on the economy. The real danger is that they will pursue a Beijing model, in the respect of which there are nominal improvements on the economy while political space is closed and democracy is muzzled. It is, therefore, important that the new authorities show signs of commitment to real change.

They could, for instance, begin by openly acknowledging and apologizing for the major human rights abuses of the past 4 decades, in particular, Gukurahundi, the cleanup operation known by the moniker Operation Murambatsvina, and the vicious 2008 election violence in the respect of which thousands of opposition and ordinary citizens were victimized.

They could, for instance, order an inquiry into the disappearance of human rights activists, including Patrick Nabanyama and Itai Dzamara.

They could, for instance, mollify many Zimbabweans by ordering a judicial inquiry into Zimbabwe's missing diamond revenues, estimated to be around \$15 billion.

Mr. Chairman, we have lost a lot of time in Zimbabwe fighting amongst ourselves. One hopes that the fresh beam of light that we saw on 18 November 2017 becomes a permanent bright shining star that shows us the path forward. Zimbabweans must fix our own country and repair the wounds of the past. But we cannot do this alone.

As Zimbabwe begins this quest for transformation, it shall need the support of the international community, including the United States and Congress in particular, at this critical stage.

We know that this struggle has been long and difficult, but we are confident that we will complete what we in the Movement for Democratic Change alliance started in 1999 when we formed the MDC.

Thank you very much, Mr. Chairman.
[Mr. Biti's prepared statement follows:]

PREPARED STATEMENT OF TENDAI BITI

ZIMBABWE AT THE CROSSROADS: A CHANCE FOR A NEW BEGINNING

Thank you, Chairman Flake, Ranking Member Booker, and other members of the subcommittee. We thank you for inviting us to this great center of American democracy.

The 14th of November 2017 began a series major life changing events in Zimbabwe that will forever redefine the political and constitutional landscape of the country.

On that day, military tanks invaded the streets of the capital, Harare, and other major cities in the country. In the early hours of the 15th, the military appeared on Zimbabwe's sole national television and implicitly made it clear that the executive was no longer in control.

On 18th November, hundreds of thousands of Zimbabweans marched alongside military personnel in the streets of Harare and Bulawayo and demanded the resignation of President Mugabe. On 21 November in the middle of impeachment proceedings in parliament, President Mugabe quietly, if not in-elegantly, announced his resignation.

With President Mugabe's departure, Zimbabwe now faces an uncertain future, but one which presents real opportunities for reconstructing, rebuilding and re-fabricating a new Zimbabwean story, and a new Zimbabwean society.

Without a doubt, the 37 years of President Mugabe's rule were a sad story of capture, coercion, corruption, poverty and de-legitimization. Zimbabweans lived in fear under a system that paid no respect to their rights and a system that saw continuous impoverishment and suffering, loss of livelihoods amongst ordinary citizens.

President Mugabe presided over one of the most autocratic African regimes that stood head and shoulders with the likes of current dictators like Obiang in Equatorial Guinea, Biya in Cameroon, Afewerki in Eritrea, al-Bashir in Sudan, and Museveni in Uganda.

Let's be clear: the events in Zimbabwe described above were an illegal and illegitimate transfer of power from one faction of the ruling party to another.

However, this was not the first time that the military in Zimbabwe and the so-called "securocrats" have subverted constitutional order in a way that merely entrenched un-democratic rule.

For instance, on the eve of the presidential election in March 2002 the top army generals of Zimbabwe led by then commander of the Zimbabwe Defense Forces Major-General Zvinvashe issued a public statement in which it was announced that they would never salute a leader who did not have liberation war credentials. An obvious position meant to target Morgan Tsvangirai, the leader of the democratic opposition.

In June 2008, pursuant to a victory of the MDC in the March 2008 election the military staged a pre-emptive military coup that literally prevented political opposition leader Morgan Tsvangirai and the MDC from taking over, installing President Mugabe as president of the republic.

November 2017 now represents a third occasion of a revolt against the constitution, but this time, marked with the popular removal of an unpopular president.

Despite the illegalities of the November 2017 processes, Zimbabwe now has the obligation of ensuring that there's a major shift and fundamental departure from a past of division, attrition and fear.

Zimbabwe needs a genuine break from its tortured past, not a continuation of the old order. The new Zimbabwe, to be established now, need to be founded on the values and principles of constitutionalism, the rule of law, a just and prosperous society. In the new Zimbabwe, every citizen must be free to pursue life, liberty, and happiness.

The starting point must be a return to true legitimacy, constitutionalism, and the rule of law. The roadmap to legitimacy is the fundamental precondition to the establishment of a sustainable, just, and free Zimbabwe. This roadmap must be anchored on clear benchmarks. These include:

1. The immediate restoration of constitutionalism, the rule of law, and legitimate civilian rule. The military must be demobilized from the streets.
2. Implementation of genuine electoral reforms to ensure that the election in July-August 2018 is free, fair, credible, and legitimate. Those electoral reforms, including: the preparation of a brand new biometric voters' roll to which all political parties sign onto; agreement on an independent electoral management body; the introduction of a diaspora vote; international observation and poll monitors; defined role of the UN and its agencies; full access to media; and a safe environment for campaigning and voting free from intimidation.
3. Political and institutional reforms, which include aligning the country's laws with the 2013 constitution, and in particular actualizing the provisions dealing with devolution and the land question.
4. Major economic reforms that focus on restoring livelihoods, growing a shared economy and addressing the huge challenge of unemployment and under-development.

5. Restoring the social contract, including the renewal and rebirth of a new Zimbabwe that shuns corruption and promotes national healing and reconciliation.

The above road map must be guaranteed and underwritten by the international community. In this regard, the role of the African Union and the United Nations will be critical.

The new authorities must show some signs of a commitment to real transformation other than cosmetic statements on the economy.

The real danger is that they will pursue a Beijing model, in the respect of which there are nominal improvements on the economy while political space is closed and democracy is muzzled.

It is therefore important that the new authorities show signs of commitment to real change.

They could, for instance, begin by openly acknowledging and apologizing for the major human rights abuses of the past four decades, in particular the massacres in Matabeleland known as Gukurahundi, the illegal and inhumane urban land clearances of Operation Murambatsvina, and the vicious 2008 post election violence against the opposition and ordinary citizens.

They could for instance order an inquiry into the disappearance of human rights activists, including Patrick Nabanyama and Itai Dzamara, who has been missing since March 2015.

Authorities could for instance mollify many Zimbabweans by ordering a judicial inquiry into Zimbabwe's missing diamond revenues, estimated to be around \$15 billion.

We have lost a lot of time in Zimbabwe, fighting amongst ourselves. One hopes that the fresh beam of light that we saw on 18 November 2017 becomes a permanent bright shining star that shows us the path forward. Zimbabweans must fix our own country and repair the wounds of the past. But we can't do this alone.

As Zimbabwe begins this quest for transformation, it will need the support of the international community, including the United States and Congress in particular, at this crucial stage.

We ask the international community and the U.S. to keep us in your hearts. Do not allow our country to be forgotten in our battle against tyranny and poverty and for democracy and human rights. Our election requires active support and oversight from the international community, including our American friends.

Further, once we show signs of an irrevocable and irreversible trajectory towards legitimacy, democracy, and the rule of law, we shall require your full support as we re-engage key international institutions.

We know that this struggle has been long and difficult. But we are confident that we will complete what we started in 1999 when we formed the Movement for Democratic Change with the aspiration of establishing a truly democratic, just, and free Zimbabwe.

Thank you. Zikomo.

Senator FLAKE. Thank you.

Mr. Mavhinga?

STATEMENT OF DEWA MAVHINGA, SOUTHERN AFRICA DIRECTOR, HUMAN RIGHTS WATCH, JOHANNESBURG, SOUTH AFRICA

Mr. MAVHINGA. Thank you, Chairman Flake, Ranking Member Booker, and other members of the subcommittee, for giving me the opportunity to testify on behalf of Human Rights Watch at this hearing on Zimbabwe.

Mr. Chairman, my testimony will first lay out the human rights situation in Zimbabwe since the military takeover and then highlight key recommendations to the U.S. Government for action to press the interim Zimbabwean Government to ensure a rights-respecting environment leading to democratic, credible, transparent, and peaceful elections and political stability thereafter.

Following the military takeover, Robert Mugabe resigned as president on November 21 and on November 24, was replaced by his former deputy, Emmerson Mnangagwa, who has his own long

record of human rights violations. In his inaugural speech, Mnangagwa confirmed that elections will take place in 2018 as scheduled but did not address critical issues, notably security sector, media, electoral reforms necessary to ensure credible, free, and fair elections.

As reports of abuses by the military since the takeover began to emerge, the excitement and euphoria that many Zimbabweans greeted the end of Mugabe's rule quickly fizzled out to be replaced by uneasiness and uncertainty. Allegations are rife that between November 14 and 24, the army arrested and detained a number of Mugabe's associates without providing information about the arrests or places and conditions of detention. Since the military takeover, soldiers have not returned to the barracks, but instead are now involved in policing on the streets. This is the same military that has been credibly implicated in rights violations against the general population during the Mugabe years.

On November 24, High Court Judge George Chiweshe ruled that the military intervention that led to Mugabe's ouster was lawful under Zimbabwe's constitution. Whatever the merits of the ruling, the judgment could embolden the military to carry out further incursions in Zimbabwe's political or electoral affairs in the future. The highly partisan stance of Zimbabwe's military leadership, particularly without meaningful security sector reforms, significantly reduces the chances that free, fair, and credible elections can be held.

There is an urgent need ahead of the elections for Zimbabwe's Constitutional Court to review Judge Chiweshe's ruling and ensure that members of the security forces observe strict political neutrality. Failure to ensure a professional, independent, and non-partisan role of the security forces may make it difficult to deliver elections needed to put Zimbabwe on a democratic, rights-respecting track.

Following the military takeover, the leadership of the Southern African Development Community, SADC, called on all stakeholders in Zimbabwe to peacefully resolve the nation's political challenges. SADC leaders also welcomed Mugabe's decision to resign, pledging to support the 2018 elections. While the African Union initially condemned the military takeover, the regional body later welcomed Mugabe's resignation.

The AU and SADC have yet, however, to address the need for the new administration to design a road map for democratic elections and the political neutrality and noninterference of the security forces in civilian and electoral affairs of the country.

In early December, the European Union Ambassador to Zimbabwe, Phillipe van Damme, said the EU will not provide significant new funding to Zimbabwe until the country holds free, fair, and credible elections.

Human Rights Watch is of the view that full reengagement with the Zimbabwean Government should be based on a firm commitment from the interim administration in Harare that they will institute measures that will ensure tangible and long overdue democratic and electoral reforms. A key benchmark for increased U.S. Government engagement should be an independent assessment of the environment in which the 2018 elections are conducted and the

transfer of power to an elected civilian government. It is important now that the military leadership publicly announce its commitment to credible, free, and fair elections and that it respects the outcome of the elections.

Mnangagwa's government should be encouraged through public statements to demonstrate commitment to accountability, justice for human rights abuses, and respect for the rule of law in Zimbabwe. We believe that Mnangagwa's recent calls to let bygones be bygones should not extend to serious human rights violations since 1980, many of which implicate the military, like the period from 1982 to 1987 when the 5th Brigade army unit carried out widespread human rights abuses, including the torture and unlawful killing of an estimated 20,000 people, military abuses in 2008 elections, as well as the abuses in the Marange diamond fields in the east of the country.

Currently, the Zimbabwe Electoral Commission, which is charged with overseeing the 2018 elections, is dominated by partisan state intelligence and military officials. Electoral reforms should start with making the Zimbabwe Electoral Commission independent and professional. The commission is compiling a new voters' register. Unlike countries like Botswana or Mozambique, which guaranteed the diaspora vote, Zimbabwe does not provide or implement the diaspora vote unless in diplomatic missions.

The Mnangagwa government should also take steps to amend or repeal repressive laws that exist and that had been used under the Mugabe government.

Our key recommendations to the U.S. Government include that the U.S. Government should maintain the existing policy towards Zimbabwe until the military removes itself from politics and the 2018 elections are legitimately assessed to be peaceful, transparent, free, and fair and that power is smoothly transmitted to the newly elected government.

Press, through public statements and support to nongovernmental organizations in Zimbabwe for the accountability and justice for past serious abuses and respect for the rule of law.

Urge the Trump administration to make Zimbabwe's transition a priority in the region and to work closely with the SADC to press Zimbabwe's political leadership to ensure the political neutrality of the security forces, impartially investigate and appropriately prosecute alleged abuses by the military, and provide for the timely and sufficient deployment of domestic and SADC-led international observers to promote credible, free, and fair elections in Zimbabwe.

We also urge the U.S. administration to provide direct financial and technical support to the government that comes to power through credible, free, and fair elections and that is committed to strengthening democratic state institutions that promote the rule of law, good governance, and human rights.

Mr. Chairman, my sincere thanks once again for the opportunity to address this subcommittee. And I am happy to respond to any questions that the committee might have. Thank you.

[Mr. Mavhinga's prepared statement follows:]

PREPARED STATEMENT OF DEWA MAVHINGA

ZIMBABWE AFTER THE MILITARY TAKEOVER: PROSPECTS FOR
CREDIBLE ELECTIONS AND HUMAN RIGHTS REFORMS

INTRODUCTION

Thank you, Chairman Flake, Ranking Member Booker, and other members of this subcommittee for giving me the opportunity to testify on behalf of Human Rights Watch at this hearing on Zimbabwe. I would like to request that my statement in its entirety be submitted for the record.

My name is Dewa Mavhinga. I am Southern Africa director in the Africa Division of Human Rights Watch where I lead, among other duties, our human rights investigation work on Zimbabwe. I frequently travel to Zimbabwe and last month I was in Harare when the military takeover occurred on November 15, 2017. I have met with leaders of the main political parties, private media, and key civil society groups to assess human rights conditions since the military takeover and ahead of national elections scheduled for 2018. A Zimbabwean national myself, I maintain daily contact with local activists, and religious and business leaders in the country who regularly update me on the situation there.

Mr. Chairman, my testimony will first lay out the human rights situation in Zimbabwe since the military takeover of government functions on November 15, and then highlight key recommendations to the U.S. Government for action to press the new Zimbabwean Government to ensure a rights-respecting environment leading to democratic, credible, transparent and peaceful elections and political stability thereafter.

I. CURRENT HUMAN RIGHTS SITUATION

The Military Takeover and Mugabe Ouster

Following the military takeover, Robert Mugabe resigned as president on November 21 after 37 years of authoritarian rule marred by countless serious human rights violations. On November 24, Mugabe was replaced by his former deputy, Emmerson Mnangagwa, who has his own long record of rights violations. In his inaugural speech, Mnangagwa confirmed that elections will take place by August 2018 as scheduled, but he did not address critical issues, notably the security sector, media, and electoral reforms necessary to ensure credible, free, and fair elections. There has been no indication that the Mnangagwa administration intends to ensure the independence and enhance the professionalism of the Zimbabwe Electoral Commission (ZEC).

As reports of abuses by the military since the takeover began to emerge, the excitement and euphoria that many Zimbabweans greeted the end of Mugabe's rule quickly fizzled out to be replaced by uneasiness and uncertainty. Allegations are rife that between November 14 and 24, the army arrested and detained a number of Mugabe's associates without providing information about the arrests, or places and conditions of detention. Since the military takeover, soldiers have not returned to the barracks, but instead are now involved in policing the streets. This is the same military that has been credibly implicated in rights violations against the general population during the Mugabe years. Mugabe openly encouraged partisanship of the military as a tool for maintaining his grip on power. The new president, Mnangagwa, assumed office with military backing, and appointed two army generals to cabinet, Air Marshal Perence Shiri, and Maj. Gen. Sibusiso Moyo. This raised concerns about Mnangagwa's independence from the armed forces, suggests further entrenchment of the military in civilian affairs.

Legalization of Military Involvement in National Politics

On November 24, High Court Judge George Chiweshe ruled that the military intervention that led to Mugabe's ouster was lawful under Zimbabwe's constitution. Whatever the merits of the ruling, the judgment could embolden the military to carry out further incursions in Zimbabwe's political or electoral affairs in the future. The highly partisan stance of Zimbabwe's military leadership, particularly without meaningful security sector reforms, significantly reduce the chances that free, fair and credible elections can be held.

The military has a long history of partisanship with the ruling party, ZANU-PF, interfering in the nation's political and electoral affairs in ways that adversely affected the ability of citizens to vote freely. The partisanship of the security forces' leadership has translated into abuses by these forces against civil society activists, journalists, and members and supporters of the opposition political party, the Movement for Democratic Change (MDC).

There is an urgent need, ahead of the elections, for Zimbabwe's Constitutional Court to review Judge Chiweshe's ruling, and ensure that members of the security forces observe strict political neutrality. Failure to ensure a professional, independent and non-partisan role for the security forces may make it difficult to deliver the elections needed to put Zimbabwe on a democratic and rights-respecting track.

Zimbabwe's Re-engagement with the International Community

Following the military takeover, the leadership of the Southern African Development Community (SADC) called on all stakeholders in Zimbabwe to peacefully resolve the nation's political challenges. SADC leaders also welcomed Mugabe's decision to resign, pledging to support the 2018 elections.

While the African Union initially condemned the military takeover, the regional body later welcomed Mugabe's resignation. The AU said it recognized that the Zimbabwean people have expressed their will that there should be a peaceful transfer of power and Mugabe's decision to resign paved the way for a transition process, owned and led by the people of Zimbabwe.

The AU and SADC have yet, however, to address the need for the new administration to design a roadmap for democratic elections and the political neutrality and non-interference of the security forces in civilian and electoral affairs of the country.

In early December, the European Union ambassador to Zimbabwe, Phillipe van Damme, said the EU will not provide significant new funding to Zimbabwe until the country holds free, fair, and credible elections.

Human Rights Watch is of the view that full re-engagement with the Zimbabwean Government should be based on a firm commitment from the interim administration in Harare that they will institute measures that will ensure tangible and long overdue democratic and electoral reforms. A key benchmark for increased U.S. Government engagement should be an independent assessment of the environment in which the 2018 elections are conducted and the transfer of power to an elected civilian government. It is important now that the military leadership publicly announce its commitment to credible, free and fair elections and that it respects the outcome of the elections.

Accountability and Justice for Past Abuses

Mnangagwa's Government should be encouraged through public statements to demonstrate commitment to accountability, justice for human rights abuses, and respect for the rule of law in Zimbabwe. We believe that Mnangagwa's recent calls to "let bygones be bygones" should not extend to serious human rights violations since 1980, many of which implicate the military. The first post-independence overt military involvement in Zimbabwe's political affairs was during the period from 1982 to 1987 when the Government deployed a section of the army, the Fifth Brigade, ostensibly to quell a military mutiny in the Midlands and Matabeleland provinces. The Fifth Brigade carried out widespread abuses including torture and unlawful killing of an estimated 20,000 people. In 1988 the Government granted amnesty to all those involved in human rights violations committed between 1982 and 1987.

The military has also interfered in the nation's political and electoral affairs in ways that adversely affected the ability of Zimbabwean citizens to vote freely, particularly during the 2008 elections when the army engaged in numerous systematic abuses including political violence, torture, and arson targeting political opponents. That violence resulted in the killing of more than 200 people, the beating and torture of 5,000 more, and the displacement of about 36,000 people. ZANU-PF-affiliated military leaders who were implicated in the violence and abuses were never held to account. The military's historical record should not go unnoticed as Zimbabwe prepares for another election.

In October 2008, soldiers killed more than 200 people and committed other serious human rights abuses in Chiadzwa, a village in Marange district, eastern Zimbabwe, and violently seized control of the district's diamond fields. Human Rights Watch investigations showed that between 2008 and 2014 the Government rotated army brigades into Marange to ensure that different brigades had an opportunity to benefit from the diamond trade. Soldiers harassed and threatened miners and other civilians into forming syndicates so that the soldiers could control diamond mining and trade in Marange.

Independence of the Zimbabwe Electoral Commission

Currently, the Zimbabwe Electoral Commission's secretariat - which is charged with overseeing the 2018 election process - is dominated by partisan state intelligence and military officials. Electoral reforms should start with making the Zimbabwe Electoral Commission independent and professional. The commission is compiling a new voters' register. Unlike countries like Botswana or Mozambique that guarantee the diaspora vote, there is no provision for Zimbabwean citizens in

the diaspora to vote from outside the country, unless in diplomatic missions. In early December, the chairperson of the Zimbabwe Electoral Commission, Justice Rita Makarau, resigned from her post without stating reasons. Mnangagwa will replace Makarau with a former judge or a person qualified to be a judge. A key part of Zimbabwe's election credibility rests on ensuring that the chairperson is replaced by someone known to be independent, impartial, non-partisan and with the capacity to deliver a democratic election. If Makarau is replaced by a person aligned to the military, and lacking in independence and professionalism, a credible election will not be possible.

Restrictions on Rights to Freedom of Expression, Association, and Assembly

The Mnangagwa Government should also take steps to amend or repeal repressive laws such as the Access to Information and Protection of Privacy Act (AIPPA), the Public Order and Security Act (POSA), and the Criminal Law (Codification and Reform) Act. These laws were used under Mugabe to severely curtail basic rights through vague defamation clauses and draconian penalties. Partisan policing and prosecution has worsened the impact of the repressive provisions in the AIPPA and POSA laws. Failure to repeal or significantly revise these laws and to develop mechanisms to address the partisan conduct of the police leaves little chance of the full enjoyment of rights to freedom of association and peaceful assembly prior to and during the coming elections.

II. KEY RECOMMENDATIONS TO THE U.S. GOVERNMENT

Historically, the U.S. Government has shown a strong interest in promoting respect for the rule of law, good governance and human rights in Africa. The Trump administration has yet to demonstrate leadership on human rights issues in Africa so it is more important than ever that Congress promotes human rights as a core pillar of U.S. foreign policy. To that end, Congress should support the people of Zimbabwe by calling on the Mnangagwa Government to set and implement a clear roadmap for democratic elections.

Specifically, Human Rights Watch urges Congress to:

1. Maintain existing U.S. policy toward Zimbabwe until the military removes itself from politics and the 2018 elections are legitimately assessed to be peaceful, transparent, free and fair and that power is smoothly transmitted to the newly elected government.
2. Press, through public statements and support to nongovernmental organizations in Zimbabwe, for accountability and justice for past serious abuses and respect for the rule of law.
3. Urge the Trump administration to make Zimbabwe's transition a priority in the region and to work closely with SADC to press Zimbabwe's political leadership to:
 - ensure the political neutrality of the security forces;
 - impartially investigate and appropriately prosecute alleged abuses by military personnel;
 - provide for the timely and sufficient deployment of domestic and SADC-led international election observers to Zimbabwe to promote credible, free and fair elections, and maintain such monitors for a suitable period after the elections to deter violence and intimidation; and
 - ensure the repeal or amendment of repressive sections of the Criminal Law (Codification and Reform) Act, the Public Order and Security Act, and the Access to Information and Protection of Privacy Act.
4. Withhold direct financial and technical support to the Government until a government comes to power through credible, free and fair elections that is committed to strengthening democratic state institutions and promoting the rule of law, good governance, and human rights.

Mr. Chairman, my sincere thanks once again for the opportunity to address this subcommittee. I am happy to respond to any questions you or your colleagues may have.

Senator FLAKE. Thank you. Thank you all for your testimony.

I will start with questioning. Mr. Godwin, Mnangagwa has made a few changes that are an appeal to populism I guess. He has gotten rid of the big motorcade that the president traveled around in. Will this work? Is he a charismatic leader, and how will the cele-

brations in the streets—should they be interpreted as we are glad that Mugabe is going or we are glad Mnangagwa is coming back?

Mr. GODWIN. I think the great tragedy of the jubilation that you saw, as Tendai Biti was referring to, not just in Harare and other places in Zimbabwe, but in cities around the world where there is a considerable Zimbabwean diaspora, is that what those celebrations showed primarily or almost exclusively was a huge relief that Mugabe had gone after 37 years, that you had this kind of cold hand of stasis on the nation. It had no other leader. I felt like it was almost coming out of some kind of Stockholm syndrome where you had been chained to the radiator in the basement and everybody just came out into the light blinking and were enormously relieved.

And I felt bad at the time for being curmudgeonly and saying this is going to be misinterpreted as a vote of confidence in Mnangagwa. People were jumping on the tanks and saying “this is great.” And the iconography of it all—outsiders could be forgiven for interpreting it as though it had been a people’s revolution. And it was not. I mean, the people were bystanders. We were spectators. People showed their huge relief at Mugabe’s departure. But these were not celebrations in favor of Mnangagwa or even the army, although people in the short term were grateful that the army had been the crowbar that got Mugabe out. And these messages got mixed in those very early days. And I think to some extent we were all caught up in the relief of the moment when you have been under one authoritarian figure for that long.

And it is my enormous regret now that we did not hold back and for the regional institutions, in particular for the AU and for SADC and for South Africa and for the international community to withhold any kind of recognition and whatever till some of the things we have all been talking about were achieved because that was our moment of greatest leverage.

Now in many respects—I mean, I cop to being pessimistic here—it is my view that we have gone back to the status quo ante.

Now, it is possible that Mnangagwa, who, if I am not mistaken, on at least two occasions was unable to win his own constituency, was not a charismatic leader, was a back-room person, kept a very low profile. But we are already seeing him wrap himself in the regalia of the personality cult. We were just looking earlier at the new fabric that is being produced with his image on it and giving himself doctorates and one thing and another. And you see people rushing to where power is. So I do not think that we can hope that somehow in his lack of charisma originally, that there will be some room for maneuver there. I doubt it.

My problem with all of this is that if you look at the history of southern Africa, in every single country in southern Africa that has fought an anti-colonial liberation war where that liberation party then comes into power, not one single one of those parties has ever lost power. So you have still got FRELIMO in Mozambique, the MPLA in Angola, SWAPO in Namibia, ANC in South Africa, and Zanu-PF in Zimbabwe. And having been in the liberation war has such a strong validation for a political party that it is extremely difficult for them to be eased aside in a general democratic way, a bit like Castro in Cuba or something. Opposition parties find it

very difficult to get that same validity. I think that you will see very quickly that Mnangagwa will secure his position both as a head of Zanu-PF and as president of the country.

Senator FLAKE. Thank you.

Mr. Biti, Zimbabwe's economic recovery will require resolving about a \$10 billion debt. When should the international community restart debt relief discussions and the lending process? What are the benchmarks? When should this happen?

Mr. BITI. Thank you, Mr. Chairman.

I think on one of the issues that the country needs to address is self-evidently the issue of a collapsed economy, an economy in the respect of which 95 percent of our people are not employed, an economy in the respect of which since 2012 we have been on a downward spiral, an economy in the respect of which our current account is totally skewed, our capital account is totally skewed, and there is no livelihoods for people. People are suffering. So the economy needs to be addressed and addressed as a matter of urgency.

But it is quite clear that one of the major stumbling blocks around the economy is the issue, number one, of domestic debt. We have a crippling domestic debt and a budget deficit that is, in fact, over 15 percent of total expenditure. They propose to reduce that to a mere 4 percent, but this is going to be a challenge.

There is no question that we have to walk the talk as a country. There is no question that the benchmark key or the key precondition is how we conduct the 2018 election. The 2018 election is going to be a major test on whether or not we can move away from the past 37 years of corruption, capture, and coercion into a new order, into a new Zimbabwe.

So a lot will depend on the next election. If we are able to deliver as a country a free, fair, legitimate election in the respect of which everyone accepts the results thereof and the provisions of the constitution spelled out in section 2 of our constitution, the founding values of the constitution that deal with power transfer are respected and there is genuine power transfer in Zimbabwe, then quite clearly there is an obligation on the international community to assist us in resolving particularly the debt question where we have to engage the World Bank, the IMF, the African Development Bank, and the Paris Club of lenders.

Senator FLAKE. Thank you.

Senator Booker?

Senator BOOKER. So I just have to say that I am not—you know, the testimony that you all prepared and the testimony that you all gave does not make me that optimistic about the 2018 elections. Mr. Biti, you said in your testimony, in your oral testimony, even just the military—still their presence in the streets right now, that they have not demilitarized in the streets is somewhat concerning to me. The massive amounts of corruption that I have read about and that you all have written about and spoken about, the perversion of the mining industry that is going on right now, the self-dealing, the protectionism of a government that may have changed its principal figure but really has not changed the players, many of them who are under United States sanction already.

And I guess my frustration with this is I do not believe we have an administration through the State Department focused on not to mention Zimbabwe, but other crises in Africa from the DRC to South Sudan. I just do not believe our administration is prioritizing this amidst a true crisis.

And I guess there is obviously an appeal to keep our sanction regime in place. The Zimbabwe Democracy and Economic Recovery Act passed in 2001 to keep it in place. But I am just not feeling if that is enough in terms of trying to create—do everything we can as the United States of America and, as Mr. Biti told me, this is one of the guiding light democracies—that we are really engaging enough.

And I guess what I am looking for from the panelists—and really I benefit from having a chairman of this committee who is very engaged, very focused. I guess what I am hoping is that you might inform us on additional actions we could be taking to help bring about the long list of reforms. Mr. Biti, you laid out the Congressional Research Service, which we had laid out. I mean, everybody is laying out what needs to happen and the kind of reforms, economic reforms, military reforms, constitutional reforms, election reforms. I mean, I am seeing what the pathway is and the benchmarks, but I am not going to leave here today feeling that confident that this is something that we are going to be able to achieve given what is going on.

Now, you all have been incredibly generous to come to the United States, to come here changing some significant plans to come here. But I wonder if you could be more directive to a junior Senator in the United States of America that if you were where we were, what would you be pushing the State Department to do, what would be you using our position to really change what—I am sorry—I just do not have confidence that 2018 is going to bring about the kind of reforms. I do not have confidence that the very people that committed atrocities are going to somehow create a process by which there can be accountability for those atrocities.

And I worry about the people of Zimbabwe right now who are suffering an economy that is in very bad shape, unemployment rates that are extraordinarily high. This is a humanitarian crisis going on, and really it is a crisis stimulated by a governance crisis because Zimbabwe is a country of great wealth, great competitive advantage, great opportunities. And the block towards the kind of reforms that could have Zimbabwe thriving, a nation that used to be one of the region's bread baskets—I mean, there is so much greatness in Zimbabwe. But I really see that the obstacle is governance.

So I guess this is just a plea to the panelists. Maybe you can go one at a time, and my time will be expired. But to give me some direction, to give this committee of committed bipartisan folks—the people you saw from Senator Young, obviously Senator Flake, Senator Coons feel a passionate love of Zimbabwe and a concern for the people. I would love it if maybe we could just one at a time to give me some direction over this next year to maybe ramp up American influence to bring about more robust democratic institutions. Maybe we can start Mr. Mavhinga.

Mr. MAVHINGA. Thank you so much.

For us at Human Rights Watch, the key really is to acknowledge that what we have now is not the normal, is not something that should be accepted in the sense of having the military on the streets, and therefore, the U.S. administration could strongly push the Southern African Development Community and the African Union and other players to insist on a road map for democratic elections and to then say, as my colleagues have said, that a key benchmark really to review relations is an independent assessment of the environment in which the 2018 elections are held. And this includes domestic and international observers to elections having full access to the country, to all parts of the country without interference. And this would also include ensuring that watching closely the replacement of the chairperson of the Zimbabwe Electoral Commission, who has just resigned—that person who replaces is someone who is known to be independent, impartial, nonpartisan, and with the capacity to deliver a democratic election. So a strong focus on a democratic election ahead of every engagement would be key moving forward. Thank you.

Senator BOOKER. Thank you.

And I just want to say I did not mean my criticism was of the State Department. We had a wonderful witness, Ms. Sullivan, who was here before—dedicated people in the State Department who have been focused on this issue. I really mean administrative prioritization in terms of reflected in their budget, reflected in many of the vacancies that we are seeing around Africa. I am sorry, Mr. Biti. I just want to make sure that my comments were not misinterpreted to the extraordinary public servant we had in the first panel.

Mr. Biti? And at some point, Mr. Biti, in your response could you say my name again because the way you say Booker, it is just really—[Laughter.]

Senator BOOKER. I can get over how wonderful that is. I need to record that.

Senator FLAKE. That is what I am calling him.

Mr. BITI. Well, look, I think your conclusions might lead to the position of pessimism. But we as Zimbabweans are hopeful that we will go to destination a new Zimbabwe.

Zimbabwe is not the first country that is difficult, that the international community has had to deal with and is dealing with. You have got hopeless places like Somalia, like South Sudan, Eritrea, the Democratic Republic of Congo. But when you look at Zimbabwe, there are certain drivers of change. We are in a genuine transition that is not just restricted or limited to the fact that a President Mugabe is normal. There are certain drivers of change that make genuine transformation inevitable, whether it is next year or it is 5 years from now. There are genuine drivers of change.

Number one is the economy. People are suffering. People are excluded. People are de-legitimized. It cannot go on as the status quo right now. It cannot be business as usual where you have 95 percent of your people unemployed, where you have 82 percent of your people surviving on less than U.S. 35 cents a day. Something has to give. So the new authorities and every one of us know that there must be change and huge change.

The military intervention in November has created huge demand, huge expectations, and the honeymoon period has been very short. People want delivery. People want action. So everyone in Zimbabwe, the civic society, the opposition, and the new authorities—they all understand that we have to deliver something on the table for suffering in Zimbabwe. That is a driver of change.

Number two is the youth. 69 percent of our people are below the age of 35. We are producing about 500,000 graduates every year, but we cannot give them jobs. By 2045, our population would have doubled in Zimbabwe. The economy is not growing sufficiently to absorb the population bulge. So that one is a driver of change.

You have an opposition that is reorganizing that is coming us together. You have seen us here as a team. That is an important driver of change.

So I have absolutely no doubt in my mind that there will be some change. The people that came out in the streets of Zimbabwe, including in places like New York here, like South Africa, and Cape Town. They were sending a message they were ready for change. They are demanding change. And the majority of people who are in those marches were millennials, young people who want genuine transformation in their country.

So the United States Congress must continue to do what it has done very well in the past: number one, interface with our people. The United States remains the biggest donor, the biggest supplier of overseas development assistance in Zimbabwe. You are very active in our health sector, for instance. You used to call it humanitarian plus, plus. That support must continue because it is interfacing with our people.

The support for the democratic processes, which you have been known for for so many years, must continue. Engagement with our government on these key issues we have discussed is very key. I think everyone must know that there is a reward for good behavior. There is a reward for constitutionalism. There is a reward for international engagement.

So right now is a great opportunity for interfacing, for saying to Zimbabwe, you have a great opportunity. Do not miss this opportunity. Notwithstanding that it might appear so gloomy, it might appear so desperately pessimistic, the bottom line is that we have got an opportunity and we do not intend to squander this opportunity.

Senator BOOKER. Thank you, Mr. Biti, and thank you for your just courage in general as part of the opposition.

Mr. Godwin, will you take me home?

Mr. GODWIN. I completely understand your frustration, and we share it too. This has gone on for an awfully long time. We have lost a whole generation to this situation. And sometimes I think we are stuck in this sterile binary. And Zimbabweans are a very hopeful people and we are easy to peddle hope to. We have low expectations and they are often dashed.

Sometimes one is tempted to indulge in a period of blue-sky thinking to say we have had these sanctions, these individualized sanctions in place for however long, and they have made no effect whatsoever. In fact, what they have done to some extent, critics will say, is provided Zanu-PF with a very convenient excuse. For

every time the economy is bad, they say, oh, it is sanctions, it is sanctions, it is not us, blame America, blame the EU, whatever. And it shields them from the consequences of their own mismanagement.

Bear in mind that Zimbabwe, as far as I understand it, is if not the, one of the fastest shrinking economies in the history of peacetime failure of economies. You have to look far and wide to find a self-inflicted failed state spiral that does not involve war. It is purely incompetence and corruption and patronage.

On that subject, there are two other things. And I am not necessarily recommending these, but if one is casting around for alternatives because clearly what we have been doing has not been working, one of the things to do is to do what they did in Lancaster House, which is that you bring together a huge pot of money. You basically put all the things that you would—and it is not necessarily new money, but you bring the international community together, all the donors, all the bilateral aid, et cetera, et cetera. And you hold this thing out and you coordinate it, and you say if you do these certain things, if you meet these certain benchmarks, whatever, we will unlock this thing. And they look at this glittering pile of goodies and they think, my God, you know, everybody gets excited about it, whatever. And you turn it around. At the same time as you have that carrot, you have a stick where you say and if you do not, then we are going to ratchet things up, and you kind of just basically make it even starker—their alternatives.

I think that the other thing—and I am sort of almost even hesitant to even mention this—is that you flip the sanctions that you have got now. I mean, I am not sure technically if it would be called sort of reverse sunset clause where you say, I will tell you what we will do. You have got this new government, whatever. We will give you the benefit of the doubt for 6 months or say until the next elections. We are going to drop all sanctions and whatever, but they will automatically go back on if you do not meet these benchmarks, the benchmarks that we have all been talking about, the ones that there is pretty wide agreement on in civic society. And that way you take away the excuse of sanctions and whatever. You put it back and you flip it. That would be a way to prioritize the carrot over the stick and mix it up and see if it works. I mean, my personal opinion is I do not think it would, but sometimes that can be unlocked.

My worry with Zimbabwe is that in the way that it has changed and the way this whole calculation has changed is that Zimbabweans are a very, very—they have a lot of initiative. They are able to make a plan. They are enormously adaptable. And there are so many of the best Zimbabweans fleeing the country all the time into the diaspora. A lot of the leadership echelon, a lot of people who should be at home doing stuff are going away. And what they do ironically is they assist Zimbabwe in surviving because the country exists on their remittances. Zimbabwe has a huge remittance economy. It is like the Philippines or Pakistan or Egypt. And the more people who go out, the more that they actually send money back and they keep the government going.

So, I mean, those are some of the thoughts I think that one might entertain. I mean, Lancaster House—they did it in a peace

conference. They pulled everybody together and said what should we do. And that would be one way to look at it.

Senator BOOKER. Thank you very much, sir.

Thank you, Mr. Chairman.

Senator FLAKE. Thank you.

I have a few more questions if that is okay.

Senator BOOKER. Yes, please.

Senator FLAKE. Mr. Godwin, you had quite a unique perspective during the 1980s, during the Matabeleland massacre. As a lawyer at that time, what do you suppose the response will be for those who want to hold people accountable? What are we likely to hear from the president who was then the chief of intelligence at that point? What are we likely to hear?

Mr. GODWIN. What I am always astonished by—and I was a young reporter down there on the ground when that happened. It was the first big story of mine. And for me the Matabeleland massacres were Zanu-PF's original sin. When I saw what that was and what it consisted of, it was something where—I, along with so many people, had gone back to Zimbabwe after 1980, and this was going to be this big, new progressive experiment—and I never recovered from it, and I do not think the country ever fully recovered from it. I think we lost our moral core and we lost the whole sort of hopeful thing that everybody had up until that point.

What I am consistently surprised and amazed by is actually how generous of spirit the victims and the families of the victims are. In my view—and I do not speak for these people. These people have their own voices. In talking to them, my takeaway is that they are incredibly reasonable. And what they really want is acknowledgement. They want acknowledgement of what has happened. They want an inquiry. They want this thing to not be swept under the carpet all the time. And for a government, for any government, it is actually a concession you can make that does not cost you that much. I mean, now that it is actually really quite a long time ago—they have gone a little bit—once, you know, they said a “moment of madness.” Well, there is a slight problem with it being a “moment of madness,” when it took 4 years, 5 years, depending on how you calculate it. So it was not a moment of madness.

And the other problem is that two of the people who were most intimately involved in the Matabeleland massacres are now more senior than ever before. So in a sense the more direct perpetrators, the most direct perpetrators, especially Perrance Shiri, who commanded the troops in the field who were doing this, is now in the cabinet. So, in a perfect world, I think that really has to be dealt with, and the country cannot move on really. The culture of impunity we were talking about before—it really starts with the Matabeleland massacres, and then it goes on through all these other things.

Zanu-PF has been rewarded. Every time it has used violence for political ends, it has worked. If you just look at it on a cause-and-effect basis, it has worked for them. And they have not had to pay a price for it. And if that goes on, it becomes completely irrational for them to stop. Why would they stop? It works every time.

Senator FLAKE. Thank you.

Mr. Biti, it was mentioned in your testimony and others that you need the diaspora to be able to vote, and that is part of the constitution right now. And there are about 4 million Zimbabweans living abroad, which would represent a sizeable chunk if they were able to vote. How much resistance do you think you will get from the government to make good on the constitutional protections there? Because one would assume that a good chunk of those outside of the country might see things differently than the ruling party.

Mr. BITI. Thank you, Mr. Chairman.

The constitution is very clear in section 67 that every citizen has a right to participate in the political affairs of one's own country, and they have got the right to make a political decision, including the right to vote. This provision in the constitution we took from the South African constitution where there is a judgment that says the diaspora has a right to vote. So we are insisting that we cannot disenfranchise the millions of Zimbabweans that are in the diaspora.

In the past, there has been serious resistance by the government, by the authorities against the enfranchising people in the diaspora. The major argument and the major understated premise has been that people in the diaspora are deemed to be opposition, but that is neither here nor there. We have to empower and enfranchise Zimbabweans abroad.

There have also been excuses around the costs associated with this exercise. But if you look at the models used by other African countries, including South Africa, including Mozambique, for instance, to name two examples, voting centers are simply set up at embassies. So the citizen would have to travel. In the case of the United States of America, one travels to Washington, D.C. One could travel to New York. So logistics cannot be an excuse for denying the right of people to vote.

But what is key in all the benchmarks we have spoken of, all the reforms we have spoken of—it is important that they are time-bound. It is important that they are timelined. It is important that these reforms are smart so that they are meaningful and substantive.

And it is important that the United States engages, that there is incentive and reward for any effort towards good behavior. But it is also important to speak out against transgressions and non-compliance.

And I rested my point that we are at a critical juncture where important decisions can be made for our country. And indeed, it will be a very sad day if the excitement, the joy, the jubilation, the exhilaration that we saw on the 18th of November, 2017 is a hijacked one, is a captured one, is a lost one. We have a duty as Zimbabwean leaders to ensure that we will fulfill the expectation that was expressed in the streets on the 18th of November 2017.

Senator FLAKE. Thank you.

Mr. Mavhinga, how free is the media now in Zimbabwe, I should say prior to the coup and now after what changes have been promised, if any? What needs to happen with regard to a free and independent media?

Mr. MAVHINGA. Thank you, Mr. Chairman.

When the military takeover occurred on November 15, the day before on November 14, Human Rights Watch was in Harare to speak out on the abuses around the media, particularly police abuses. The arrests of a number of journalists, police harassment, detentions of journalists was rife.

Since the military takeover, the soldiers have particularly focused on what they call cybersecurity threats and say that social media now constitutes the highest national security threat to the authorities in Zimbabwe. So there is a danger now of shrinking space, and the soldiers have issued a number of warnings to those that are on social media and they have been increasing attacks on social media from those that are supportive of the authorities in Zimbabwe.

What needs to happen now to open up the space for the media is to ensure that there are critical reforms, a repeal or amendment as appropriate of such laws as the Public Order and Security Act, the Access to Information and Protection of Privacy Act, and also to ensure that policing is impartial, is independent, is professional because partisan policing was also part of one of the reasons why there was this targeting of members of the media.

One of the activists who disappeared in March 2015, Itai Dzamara, was himself a freelance journalist. Recently also an American citizen, Martha O'Donovan, was picked up and locked up and charged with seeking to subvert a constitutional government simply because of a Tweet. So this kind of trajectory has not gone away because the infrastructure, in terms of the laws in place, remain. So there is an urgent need as we prepare for 2018 elections to look at legislative reforms that would open up the media space and ensure that there is a full implementation of the 2013 constitution which guarantees media freedoms but which are not enjoyed by citizens because of the laws that exist that are not in line with the 2013 constitution.

Thank you.

Senator FLAKE. Thank you.

Do you have any further questions, Senator Booker?

Senator BOOKER. No, sir. Just hoping that we can keep the lines of communications open as things are unfolding especially into the coming year.

Senator FLAKE. Well, thank you. I want to say thanks to all of the panelists again for rearranging your schedule and travel times. It is very much appreciated, and we will certainly call on you again, if we can, in terms of assistance to us as we formulate policy where we can be helpful.

I appreciate the interest in this subcommittee. I appreciate the partnership that we have. As Senator Booker said, this is not a partisan issue, our response to Zimbabwe and our hope that we can have a brighter and more democratic future.

So thank you. And with the thanks of the committee, this hearing stands adjourned.

I should mention the hearing record will remain open until tomorrow. If you have any responses to give for members, if you could do it so promptly, we would appreciate it. Thank you.

[Whereupon, at 3:48 p.m., the hearing was adjourned.]

Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
HON. STEPHANIE SULLIVAN BY SENATOR BOB CORKER

Question 1. Zimbabwe has had a long political, security, and economic relationship with North Korea. Please describe the parameters of that relationship and its role today.

Answer. We understand that Zimbabwe maintains longstanding political and trade relations with the DPRK, dating back to the days of Zimbabwe's liberation struggle. Nevertheless, Zimbabwe has been cooperative with U.N. Security Council Resolutions on the DPRK and has signaled its intention to fulfill those resolutions in their entirety. The Department stands ready to discuss specifics on DPRK-Zimbabwe relations in greater detail in a classified setting.

Question 2. How will the U.S. address the North Korea-Zimbabwe bilateral relationship as it makes policy decisions relative to the changes in government in Zimbabwe?

Answer. We continue to take action multilaterally and unilaterally to disrupt funding and resources the North Korean regime uses to support its unlawful nuclear and ballistic missile programs. The State Department is pressing countries around the world, including Zimbabwe, for action to pressure the DPRK politically, diplomatically, and economically. We are seeing unprecedented levels of cooperation from the international community resulting in stronger sanctions, increased diplomatic isolation of North Korea, expulsion of North Korean workers and diplomats, and cutting DPRK trade relationships.

Question 3. What expectations will there be of the Government of Zimbabwe prior to any positive U.S. diplomatic actions?

Answer. U.S. engagement with President Mnangagwa's administration must be based on demonstrated behavior, not rhetorical intentions. The Zimbabwean Government should enact overdue political and economic reforms to achieve a more stable, prosperous, and democratic future for the people of Zimbabwe.

Our policy of re-engagement will focus on constitutional democracy, free and fair elections, respect for human rights and the rule of law, improved trade and investment climate, macroeconomic reform, and professionalization of state-run media. Whatever short-term arrangements the Government may establish, the path forward must lead to free, fair, and inclusive elections, in which the people of Zimbabwe choose their own leaders.

Question 4. The role of freedom of the press as an important pillar of democratic governance has been a distant component of Zimbabwe's recent leadership. The necessity of an independent judiciary is another pillar of effective, inclusive and impartial governance. What opportunities does the U.S. have to help or continue to build the capacity of the free press?

Answer. The United States supports the protection of all fundamental freedoms, such as freedom of expression, including for members of the press. Journalists, social media activists, human rights defenders, and civil society must be able to operate freely, without government censorship, intimidation, or interference, and all parties should have equal access to use of state media.

One way the Zimbabwean Government can encourage media freedom is through reviewing and aligning laws to the 2013 Constitution, including by granting licenses to independent broadcast and print media outlets. Also, the Government can repeal or significantly reform laws and draft legislation that restrict media freedoms, including the Public Order and Security Act, the Access to Information and Protection of Privacy Act, and the draft Computer Crime and Cyber Crime Bill.

Immediately after the change in government, we were pleased to engage Zimbabwe's state-run media, featuring two in-depth interviews with Ambassador Thomas—something that would not have happened under Mugabe's rule. Given this window, we are exploring opportunities to build the professionalism and integrity of state-run media.

Question 5. What role has [Broadcasting Board of Governors/Voice of America] BBG/VOA played in the past and in recent weeks? Is the BBG/VOA programming seen as of good value and will it be sustained?

Answer. BBG/VOA extensively covered the historic series of events in Zimbabwe that led to the end of Mugabe's rule. VOA expanded its programming to capture live broadcasts of ZANU-PF's expulsion of Robert and Grace Mugabe and Mnangagwa's return to Zimbabwe. The recent turn of events dramatically increased VOA's website traffic and activity on its social media platforms. VOA consistently receives positive feedback from its listeners for its objective and independent reporting.

Question 6. What opportunity is there for the U.S. to improve institutional elements or support components in the rule of law sector that would strengthen a more independent judiciary? Is it a priority at this time? If not, when would it be?

Answer. We have long called for and continue to call for respect for the rule of law as a principle for our re-engagement with the Zimbabwean Government. This includes holding the state accountable for addressing human rights violations, to include excessive use of force by police, abductions, and torture of activists. An independent judiciary that ends impunity for all politically connected persons, of any party or political persuasion, from court rulings is a vital component to a strong rule of law. The United States will also continue to encourage a fully operational and independent Zimbabwe Human Rights Commission and National Peace and Reconciliation Commission, in line with the 2013 Constitution and enabling the fulfillment of their mandates.

Question 7. What resources are available and what mechanisms exist to implement assistance in furthering good governance in Zimbabwe?

Answer. The U.S. Department of State and USAID have several funding mechanisms for interventions to strengthen good governance around the globe. The United States cannot fund Government of Zimbabwe institutions directly, but can work through a range of national and international non-governmental organizations to provide targeted, critical support in the lead up to and following elections, and to compel the Government of Zimbabwe to act justly and transparently as its new institutions take up their work.

Question 8. Humanitarian assistance and investments in health have been a significant part of U.S. engagement in recent years. What resources might be made available if the political situation evolves positively in Zimbabwe?

Answer. USAID has a small Feed the Future crops and livestock program that enables smallholder farmers to treat farming as a business. Agricultural commercialization among these farmers for FY 2017 had sales for livestock and crops of over \$1.8 million and \$5.99 million, respectively.

The Mission's entrepreneurship training program trained 22,000 youth and young women over the last two years, who earned \$31 million. The Feed the Future program has been scaled back, and the entrepreneurship program is coming to an end, but if the situation evolves positively in Zimbabwe, the Mission could scale up these programs and capitalize on successes to date.

Question 9. How important is Zimbabwe to the U.S. relative to our interests in the sub-region of southern Africa?

Answer. U.S. interests in Zimbabwe have existed since before the country's independence in 1980. We believe strongly that a stable Zimbabwe means stability for all of southern Africa. We remain committed to the well-being of Zimbabweans through our health, food security, anti-trafficking, and democracy and governance programs.

Question 10. Economics appears to be the most pressing component of the Government of Zimbabwe's needs and while often ignored in the past, to the detriment of the country and the large majority of its population, it is the key element of international leverage. How will the U.S. approach those international financial efforts, over which it has some influence, to relieve Zimbabwe's Government of any of the economic burden they have created for themselves?

Answer. The United States is concerned that Zimbabwe's economy is experiencing stagnant growth, declining per capita incomes, and rising government spending financed by central bank borrowing and debt issuance, which crowds out the private sector and undermines the banking sector.

We have urged the Zimbabwean Government to take steps, including revising the indigenization policy, improving the investment climate for foreign and domestic investors, addressing the Government's unsustainable wage bill, and improving its expenditure controls.

We continue to oppose any new international financial institution (IFI) lending to Zimbabwe, unless it addresses the basic human needs of the poor. We also oppose any use of IFI resources to clear Zimbabwe's remaining IFI arrears—or to pay back an external creditor. The U.S. position is informed by both policy and legislation. Looking ahead, our approach will be guided by the actions of the Mnangagwa Government and consultation with Congress and non-governmental stakeholders. Genuine political and economic reforms would enable the United States to support the use of IFI resources and possible debt relief for Zimbabwe.

Question 11. What criteria will be used by the USG to determine what if any influence it will bring to bear on economic relief or other financial burden for Zimbabwe?

Answer. We must see meaningful political and economic reforms before we can support new lending by international financial institutions. We have urged the Zimbabwean Government to take steps, including revising the indigenization policy, improving the investment climate for foreign and domestic investors, addressing the Government's unsustainable wage bill, and improving its expenditure controls.

Zimbabwe's economy is in the hands of Zimbabweans. Transparent and predictable pro-growth policies are essential to attracting business and investors. We will review our policies in response to actions by the Government.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
HON. STEPHANIE SULLIVAN BY SENATOR JEFF FLAKE

Question 1. Martha O'Donovan is an American citizen who was arrested in Zimbabwe in early November and charged with "undermining the authority of or insulting the president" because of some tweets the Mugabe regime accused her of posting. A handful of cases involving baseless charges against political opponents to the Mugabe regime have been dropped since President Mnangagwa was sworn in. However, Ms. O'Donovan's remains unresolved.

- What is your understanding of why the charges against Ms. O'Donovan have not yet been dropped? How has the change of leadership in Zimbabwe impacted the State Department's efforts to help Ms. O'Donovan?

Answer. We are aware of the case of the U.S. citizen and are providing consular assistance at her request. Due to privacy considerations, we cannot go into detail.

When U.S. citizens are detained abroad, U.S. Embassy officials seek to aid them with all appropriate consular assistance.

As for the other cases mentioned, we are pleased to see the charges dropped. We consider that to have been a small but positive step in the right direction and a possible indication of the new government's approach to such matters. We hope that approach may be replicated in similar cases.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
HON. STEPHANIE SULLIVAN BY SENATOR CORY A. BOOKER

Question 1. Martha O'Donovan, a U.S. citizen and New Jersey resident, was detained on November 3, 2017 for allegedly sending a Tweet in which she called former Zimbabwean President Robert Mugabe "a selfish & sick man," an assertion which she denies. According to reports, she has been charged with subversion and attempting to overthrow the government, a crime which carries a sentence of up to 20 years in prison. At the time, O'Donovan was working for Magamba TV, which describes itself as "Zimbabwe's leading producer of cutting edge, political satire and comedy shows." Her detention and prosecution raise serious questions over Zimbabwe's commitment to freedom of expression.

Notably High Court Judge Clement Phiri said there was "patent absence of facts" in the state's case against her when he released her on bail last month. In addition, Amnesty International has called for the charges against O'Donovan to be dropped.

- What steps has the U.S. Embassy in Harare taken to provide consular assistance to Ms. O'Donovan and secure her release?

Answer. We are aware of the case of the U.S. citizen and are providing consular assistance at her request. Due to privacy considerations, we cannot go into the details of our assistance.

It is our policy to urge the Government of Zimbabwe to ensure the protection of human rights and fundamental freedoms, including the freedom of expression, which is enshrined in the country's 2013 constitution.

Question 2. Has the embassy or State Department seen new opportunities to secure her freedom since the installation of President Mnangagwa?

Answer. We are aware of this case and are providing all appropriate consular assistance.

Question 3. We have seen through the Kenyan and Liberian elections that violence and disruption can ensue, particularly when there are allegations of irregularities in the electronic systems and the electoral commission lacks appropriate capabilities. What are the State Department or USAID's plans to help Zimbabwe ensure that elections will be free, fair, and credible?

Answer. We are working closely with Zimbabwean civil society and our like-minded partners in Harare and in our respective capitals to encourage the Zimbabwean government to undertake reforms, including laying the groundwork for free, fair, and credible elections. Should the Government of Zimbabwe take real steps to implement electoral reforms, we will be able to do more. The steps we need to see from the Government of Zimbabwe include: ensuring the independence of the Zimbabwe Electoral Commission; allowing all eligible citizens the opportunity to register and vote; discontinuing state sponsored violence; allowing international observers; and guaranteeing that all political parties have equal opportunities to campaign, including access to state media. We will continue to engage with all of Zimbabwe's political actors, including the opposition, recognizing that opposition parties and leaders have suffered a range of abuses over many years at the hands of the ruling party that retains power. Free, fair, and inclusive elections should allow the people of Zimbabwe to choose their own leaders freely. We will continue to support Zimbabwe's transition to democracy.

Question 4. Do you believe that State and USAID have the resources to be able to assist Zimbabwe with their elections?

Answer. Our programs are flexibly designed to respond to opportunities and minimize risks. USAID's Democracy, Rights and Governance Office is providing funding to civil society for election-related programs. For example, USAID-funded civil society groups are conducting effective outreach that has encouraged tens of thousands of citizens to register to vote.

Question 5. What is the State Department prepared to do if it finds that the elections in Zimbabwe were not fair, peaceful or credible?

Answer. At this point, we do not want to pre-judge an outcome. We would like to offer President Mnangagwa and his government an opportunity to implement political reforms, including a credible electoral process. However, some recent actions have caused us concern, such as a prominent chief's pledge that all traditional leaders will support the ruling party and a presidential advisor's declaration that the military will campaign for the ruling party. Moreover, the ruling party's new commissar was involved in state-sponsored violence against the opposition during the 2008 elections. These circumstances place us under no illusion of how challenging it will be for Zimbabwe to conduct task free and fair elections.

The future of Zimbabwe must be determined and established by the people of Zimbabwe. The Zimbabwean government should enact overdue political and economic reforms to achieve a more stable, prosperous, and democratic future for the people of Zimbabwe. We will not be able to change the nature of our engagement without an electoral process, including voter registration, which is credible and transparent, and consistent with Zimbabwe's regional commitments under the SADC Principles and Guidelines Governing Democratic Elections. Whatever short-term arrangements the government may establish, the path forward must lead to free, fair, and inclusive elections, in which the people of Zimbabwe choose their own leaders. We will continue to support Zimbabwe's transition to democracy.

Question 6. The Kenyan and Liberian election also demonstrated the frustration that countries can experience with international observer missions. What are the lessons learned from those experiences and how are those lessons going to be incorporated into future election observation missions?

Answer 6. Information sharing and coordination among election observation missions on electoral and security preparations enabled international observer teams collectively to observe more places around the country, limiting duplication and gaps as much as possible. Early preparations, regular meetings of various missions, and an integrated command center were also key to successful observation efforts. Key lessons learned include the importance of Mission Front Office leadership, central-

ized observation mission planning, practical scenario-based training for observers on processes and equipment, and planning for unusual election scenarios, such as Kenya's repeat election and Liberia's delayed runoff election. Taking into consideration these best practices would benefit future observation missions.

Question 7. In Zimbabwe, one of the most highly mine-impacted countries in the world, the Conventional Weapons Destruction (CWD) program supports landmine clearance, victim assistance and risk education on the border with Mozambique, where hundreds of communities have lived with the legacy of more than 1.6 million mines for over three decades. These mines continue to kill and maim people and livestock, and block access to houses, schools, health clinics, farmland and water sources, affecting hundreds of thousands of people along the border.

The State Department-funded demining program in Zimbabwe is one of the only assistance programs in the country, and employs over 400 people from border communities to work clearing minefields. The program provides uncontroversial assistance to the people of Zimbabwe that cannot be subverted by the government. However, the FY 18 Congressional Budget Justification reduces funding to \$1 million, and would result in a sizeable reduction in the workforce to the extent that the program will likely no longer be viable.

How would you characterize the effectiveness of U.S. foreign assistance with regard to Zimbabwean landmine clearance?

Answer. Since 1998, the United States has invested more than \$15.6 million in the removal and safe disposition of landmines and unexploded ordnance in Zimbabwe for the return of land for agricultural use.

Through the work of our implementing partners, U.S. government funds have supported landmine clearance, mine risk education, and survivor assistance. U.S. assistance towards landmine clearance has saved many lives and is making a difference in Zimbabwean communities.

Question 8. How would the FY 18 CBJ funding level, if enacted, impact landmine clearance operations in Zimbabwe?

Answer. Continued landmine clearance assistance would save thousands of lives exposed to one of the most landmine-contaminated areas in the world.