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Chairman Smith, Ranking Member Payne, and Members of the Subcommittee, thank you for the opportunity to testify today.

Since the early 1990s, the International Republican Institute (IRI) has worked to support pro-democracy activists in their struggle to bring true and lasting democratic reform to Zimbabwe. My testimony today marks the third time since 2005 that a representative from IRI has come before this Committee to discuss Zimbabwe. In looking back on the last six years, what is striking is that while much has changed – the Movement for Democratic Change (MDC) has progressed from an opposition movement born from organized labor to a partner in the current coalition government, with Morgan Tsvangirai as prime minister – Zimbabwe’s democratic growth and the United States’ policy toward it has remained rather static.

Zimbabwe poses a difficult but unique policy challenge to the United States. The very nature of Zimbabwe’s coalition government shields President Robert Mugabe and the Zimbabwe African National Union-Patriotic Front (ZANU-PF) from any action by the opposition against the Government of National Unity as it would reflect negatively on the MDC partners and stifle any progress they are able to make from within the governing coalition. Further, overt condemnation of Mugabe, his party or his government, for things other than the most egregious of crimes, has the potential to backfire; Mugabe has been successful at blaming Zimbabwe’s ills on external, particularly Western, intervention. Finally, the coalition government has managed to bring just enough stability to Zimbabwe to enable it to be overshadowed by other emergencies on the African continent.

In the last year alone, famine in the Horn, Somali pirates, independence of South Sudan and post-election conflict in Cote d’Ivoire have monopolized U.S. foreign policy initiatives in the region. It is time, however, to start paying more attention to Zimbabwe. The imminent constitutional referendum and national elections have the potential to graduate the crisis in Zimbabwe from a steady but manageable simmer to boiling over. A return to a situation similar to that which followed the first round of the 2008 presidential elections would not only have significant human consequences but would erase any positive political advances made over the last two and a half years.

Background

The Subcommittee is undoubtedly familiar with the deterioration of Zimbabwe under the leadership of Robert Mugabe and his political party ZANU-PF. For our purposes here, discussion will center on the state of Zimbabwe following the March 2008 national elections which resulted in the MDC winning a parliamentary majority and Morgan Tsvangirai winning 47.9 percent of the presidential vote compared to Mugabe’s 43.7 percent. The second round of

elections, scheduled for June 2008, prompted a rapid mobilization of state-sponsored violence to a level unseen even in previous Zimbabwe elections. Not only were MDC activists and supporters abducted, tortured and killed, but the regime manipulated the distribution of desperately needed food and humanitarian aid to harass and intimidate ordinary citizens. President Mugabe and his compatriots in the security services made it perfectly clear that *any* result other than Mugabe's reelection would be unacceptable, including prompting more violence by ZANU-PF. On June 22, the MDC and Morgan Tsvangirai announced that they had little choice but to withdraw from the election.

In addition to the political crisis that took hold of Zimbabwe following the March 2008 national elections, Zimbabwe was simultaneously engulfed in an economic crisis characterized by rampant hyperinflation (in 2008 reaching 500 billion percent), high levels of unemployment, severe food shortages and budget shortfalls which caused civil servants to go unpaid and schools and hospitals to close. In the post-election period, the people of Zimbabwe experienced considerable suffering, further exacerbated by the onslaught of a cholera epidemic in August 2008.

In response to an obviously illegitimate election result, the Southern African Development Community (SADC) intervened. Under the guidance of former South African President Thabo Mbeki, the two factions of the MDC and ZANU-PF entered into talks with the aim of forming a unity government. The Global Political Agreement (GPA) was signed on September 15, 2008, and the Government of National Unity was subsequently formed with Morgan Tsvangirai sworn in as prime minister on February 11, 2009. Both SADC and the African Union were made guarantors of the GPA and have the responsibility of overseeing its implementation.

The merits of Zimbabwe's power-sharing agreement have been debated from the start. On the one hand, the institutionalization of MDC into the government has resulted in some tangible progress for Zimbabwe. Under the GPA, Movement for Democratic Change-Tsvangirai (MDC-T) was allocated responsibility for overseeing Zimbabwe's economic portfolio and placed Tendai Biti in the position of Finance Minister. Shortly after taking office, Tsvangirai and Biti made the rehabilitation of the economy a top priority. Though Zimbabwe still experiences economic woes, inflation has been brought under control, stores once again have products on their shelves and the economy has experienced positive growth since 2009 following 10 years of economic decline. In 2011, Zimbabwe's gross domestic product (GDP) grew by 9.3 percent. Participation in the Government of National Unity has also provided MDC with the opportunity to build its capacity to govern and has dispelled critics of the notion that Zimbabwe would be *worse off* under its leadership.

On the other hand, power-sharing agreements seem to have become an oft-considered diplomatic tool to put an end to rampant political violence in Africa; an arrangement similar to Zimbabwe's was also made in Kenya following its disputed 2007 elections and was considered in Madagascar in 2009 and Cote d'Ivoire earlier this year. While ending violence is always a worthy and immediate goal, IRI and other democracy advocates rightly become concerned when the will of the people expressed through election results is ignored. Ultimately, Morgan Tsvangirai was the winner of the first round of voting in 2008, and all indications show that he would have won the second round under free and fair election conditions. By facilitating a power-sharing settlement,

the African Union, SADC and the international community rewarded Mugabe and ZANU-PF for their use of intimidation and violence as a tool to maintain power, arguably setting a dangerous precedent.

Challenges

Despite advances in certain areas, the Government of National Unity can generally be characterized as an unholy marriage of contradicting interests. From the outset, ZANU-PF has been unwilling to make the important concessions it agreed to in the GPA. Security sector reform, the failure to appoint MDC representatives to key posts, including provincial governorships and Roy Bennett as deputy minister of agriculture, and media reforms all remain, as do other needed reforms. These remain obstacles to full GPA implementation. At the moment however, the constitutional reform process and establishing a roadmap to credible national elections are arguably the top issues facing Zimbabwe.

Despite being a key component of the GPA, the constitutional reform and referendum process has been marred by significant delays, a lack of resources and high levels of violence and intimidation. In June 2010, the government embarked on a series of public outreach meetings to gather citizen input on the draft of a new constitution. Unfortunately, this opportunity for citizens to engage in the democratic process was marred by logistical failures and high levels of violence and intimidation, perpetrated by ZANU-PF supporters and war veterans. Levels of violence were particularly high in urban areas and those rural areas where MDC enjoys majority support. By October 2010, the climate of insecurity, fear and manipulation surrounding public outreach meetings led Tsvangirai to publically refer to the constitutional reform process as a “circus.” Originally expected for mid-2011, the Constitution Select Committee continues to extend the deadline for a constitutional referendum, now optimistically set for December 31, 2011.

On numerous occasions, the Government of National Unity partners have looked to quick elections as the only escape from the difficult and often ineffective arrangement that binds them together. Until very recently, Mugabe has insisted that national elections be held in 2011, with or without a revised constitution or referendum – a situation deemed generally unacceptable to the MDC and SADC. This July, a SADC facilitation team traveled to Zimbabwe and was able to achieve consensus from all three GPA partners that elections should be held in August or September 2012. Shortly thereafter, however, President Mugabe made a public statement declaring his intent to unilaterally call elections for March 2012. During the public celebration of MDC-T’s 12th anniversary, Morgan Tsvangirai responded “the date for our next election is going to be defined by a process and not by the whims of any individual who feels they can dream a date and impose it on the people.”

South African President Jacob Zuma similarly rebuked Mugabe’s repeated disregard of a legitimate “roadmap to elections.” Assuming the GPA partners can come to a final agreement on an election date, numerous conditions must be met for a free and fair election to occur, including the institution of an impartial Zimbabwe Election Commission, the creation of an accurate voters roll, amendment of the Public Order and Security Act, the opening of space for the independent media, meaningful electoral reform, the facilitation of domestic and international election observers, and most importantly, the end to tactics of violence and intimidation.

SADC plays a crucial role in the Zimbabwe crisis. The Southern African community has historically taken a soft position toward Mugabe, turning a blind eye to human rights abuses and electoral fraud. This stance appeared to change for the first time in March 2011 during its meeting in Livingstone, Zambia when the SADC troika issued a communiqué expressing their dissatisfaction with the GPA progress and concern for the level of state-sponsored violence.

The document called for an end to the violence, full implementation of the GPA, agreement on an election road map, and appointment of a SADC Troika delegation to the Joint Monitoring and Implementation Committee to ensure monitoring, evaluation and implementation of the GPA. Zimbabwean pro-democracy stakeholders have welcomed this change and continue to send their emissaries regionally to make sure this position holds firm. However, SADC's subsequent August meeting in Luanda, Angola was disappointing for its lack of focus on the Zimbabwe issue, calling only for continued implementation of the GPA.

Recommendations

As the U.S. government reviews its policy for engagement with Zimbabwe, I would like to highlight the following:

- 1) *The United States should develop a more robust policy toward Zimbabwe that extends beyond targeted sanctions.* Sanctions have arguably been successful to an extent in limiting the ability of Mugabe and his close allies to travel and reap the financial benefits of their continued disregard for human rights and rule of law. It is time, however, for the United States to consider a policy toward Zimbabwe that involves a higher level of direct engagement with the ongoing crisis. A key part of such a policy is an increased level of support to pro-democracy activists operating within Zimbabwe despite being targeted for arbitrary arrest, intimidation and physical harm by ZANU-PF operatives.
- 2) *SADC should be the leading force in resolving the Zimbabwe crisis.* South Africa and others have long argued that the Zimbabwe crisis is an African problem requiring an African solution. If there is something positive to be taken from the Zimbabwe crisis, it is the extent to which SADC has come to take seriously its role as guarantor of the GPA. As recent events have attested, SADC is becoming increasingly impatient with ZANU-PF and its failure to cooperate and has begun to exert higher levels of pressure on GPA partners to finalize and comply with a road-map to elections. Given this, any action taken by the United States toward Zimbabwe should be done in a manner that complement and support SADC efforts.
- 3) *The United States should make clear what it views as an acceptable outcome of the referendum and election process.* There exists a high level of risk associated with the movement toward a constitutional referendum and national elections. Understanding that a peaceful, free and fair election will most likely result in a victory for MDC, ZANU-PF has a vested interest in preventing such an outcome. Politically motivated violence is already on the rise in Zimbabwe, targeting pro-democracy activists and could reach levels in excess of that experienced in 2008. The United States and the international community must articulate the utmost support for a free and fair democratic process in

Zimbabwe, absent a campaign of intimidation and violence. Further, the United States must also develop a policy toward Zimbabwe based on the understanding that a follow-on negotiated power-sharing settlement to the GPA is not acceptable.

- 4) *The United States should be prepared for numerous scenarios in a possible post-Mugabe era.* It has long been rumored that Mugabe is suffering from poor health and that ZANU-PF is plagued by internal conflict. A post-Mugabe era could spur the ascendancy of moderate factions of ZANU-PF to party leadership positions, potentially providing an opportunity for a negotiated settlement that would facilitate a democratic electoral process. Taking a more negative view, a post-Mugabe era could conversely result in the emergence of ZANU-PF hardliners with an interest in attaining absolute power in Zimbabwe. The United States should prepare contingency plans for both scenarios as either would drastically alter the status quo in Zimbabwe, with significant ramifications for U.S. engagement in Zimbabwe.

- 5) *The United States should engage in an integrated diplomatic approach to Zimbabwe.* The United States has at its disposal a number of key State Department officials who will prove a great asset in the design of a cohesive and comprehensive policy toward Zimbabwe, including U.S. Ambassador to Zimbabwe Charles Ray; U.S. Ambassador to Botswana and U.S. Representative to SADC Michelle Gavin; Undersecretary of State for Democracy and Global Affairs Maria Otero; Assistant Secretary of State for the Bureau of African Affairs Johnnie Carson; and Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor Michael Posner. To the greatest extent possible, these and other key U.S. government partners should play a more proactive and collective role in the implementation of U.S. policy toward Zimbabwe, including engagement with other interested governments and actors in the larger international community.