

111TH CONGRESS
2D SESSION

H. R. 5971

To facilitate lasting peace, rule of law, democracy, and economic recovery
in Zimbabwe.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2010

Mr. PAYNE (for himself, Ms. LEE of California, Mr. RUSH, Mr. CONYERS, Mr. MEEKS of New York, Mr. RANGEL, Mr. DAVIS of Illinois, Mrs. CHRISTENSEN, Ms. WATERS, Mr. TOWNS, Mr. WATT, Mr. BISHOP of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE of Texas, Mr. CUMMINGS, Mr. SCOTT of Virginia, Mr. CLAY, Ms. CLARKE, Mr. CARSON of Indiana, Mr. ELLISON, Mr. SCOTT of Georgia, Ms. EDWARDS of Maryland, Mr. AL GREEN of Texas, Mr. BUTTERFIELD, Ms. MOORE of Wisconsin, Mr. CLEAVER, Mr. JOHNSON of Georgia, Mr. FALEOMAVAEGA, Ms. WOOLSEY, and Ms. WATSON) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To facilitate lasting peace, rule of law, democracy, and
economic recovery in Zimbabwe.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Zimbabwe Renewal Act of 2010”.

4 (b) TABLE OF CONTENTS.—The table of contents of
5 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and sense of Congress.
- Sec. 3. Statement of policy.
- Sec. 4. Assistance to strengthen the rule of law and human rights in Zimbabwe.
- Sec. 5. Assistance for sustainable development, health care, education, agriculture, clean water, and emergency vocational work program for youth in Zimbabwe.
- Sec. 6. Assistance to promote reconciliation efforts in Zimbabwe and support full implementation of the Global Political Agreement.
- Sec. 7. Technical assistance for Zimbabwe.
- Sec. 8. Debt relief for Zimbabwe.
- Sec. 9. Review of targeted sanctions in support of peace and democracy in Zimbabwe.
- Sec. 10. Report.
- Sec. 11. Other provisions of law superseded.
- Sec. 12. Authorization of appropriations.

6 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) In September 2008, the Zimbabwean Afri-
9 can National Union-Patriotic Front (ZANU–PF),
10 led by President Robert Mugabe, the Movement for
11 the Democratic Change (MDC), and the Movement
12 for Democratic Change–Mutambara, reached an ac-
13 cord, the Global Political Agreement (GPA), after
14 months of negotiations.

15 (2) In February 2009, MDC leader Morgan
16 Tsvangirai was sworn in as the prime minister of
17 the Transitional Inclusive Government, while Presi-

1 dent Robert Mugabe kept his position as agreed to
2 by the three parties.

3 (3) Since the formation of the coalition govern-
4 ment important progress has been made, although
5 serious challenges remain. Moreover, some members
6 of ZANU–PF continue to undermine and obstruct
7 the peace agreement and the coalition government.

8 (4) Despite the GPA, civil society, labor unions,
9 human rights advocates, journalists, and opposition
10 members continue to face harassment and intimidat-
11 tion by security forces, which are still under the con-
12 trol of the ruling ZANU–PF.

13 (5) While, due to difficult economic and secu-
14 rity conditions, an estimated 3,000,000
15 Zimbabweans have fled to South Africa and other
16 neighboring countries.

17 (6) While recent measures taken by the coali-
18 tion government have improved economic conditions,
19 significantly reducing the inflation rates, millions of
20 Zimbabweans continue to face serious difficulties.

21 (7) On May 10, 2010, the Zimbabwe High
22 Court acquitted MDC–T Treasurer, Roy Bennett.
23 The Zimbabwe Attorney General announced two
24 days later that he would appeal the ruling.

1 (8) In May 2010, Prime Minister Morgan
2 Tsvangirai met with senior Administration officials,
3 including Secretary of State Hillary Clinton and was
4 recognized with the Democracy Award by the Na-
5 tional Democratic Institute (NDI).

6 (9) Formal unemployment rates in Zimbabwe
7 have increased to more than 90 percent and youth
8 make up more than two-thirds of the unemployed.

9 (10) Many poor Zimbabwe youth drop out of
10 school without the education and training necessary
11 for employment and become vulnerable to criminal
12 activity, poor health, and disease.

13 (11) It is estimated that as many as 29,000
14 youth are currently members of youth militias
15 known to intimidate persons and groups for political
16 purposes in exchange for cash, food, clothes, and
17 shelter.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that providing job opportunities of practical national
20 value for youth in Zimbabwe designed to divert young peo-
21 ple away from idleness and undesirable activity also would
22 help alleviate poverty, restore the economy, contribute to
23 the reconstruction of Zimbabwe, and give such youth in-
24 come and a sense of achievement and self-worth in an oth-
25 erwise hopeless environment.

1 **SEC. 3. STATEMENT OF POLICY.**

2 It shall be the policy of the United States Govern-
3 ment to—

4 (1) support a transition to democratic and eco-
5 nomic recovery in Zimbabwe that reflects the new
6 political conditions and opportunities created by the
7 Global Political Agreement (GPA);

8 (2) support the advancement of human rights,
9 labor rights, democracy, rule of law, independence of
10 the judiciary, freedom of the press, and economic de-
11 velopment in Zimbabwe;

12 (3) support full implementation of the GPA and
13 seek the unconditional release of all political pris-
14 oners and prisoners of conscience;

15 (4) foster stability, democracy, and economic
16 development in the region;

17 (5) help end poverty and support economic re-
18 covery by expanding United States assistance pro-
19 grams in Zimbabwe;

20 (6) promote a sustained relationship with
21 Zimbabwe in order to strengthen democracy, human
22 rights, security, economic growth, and the alleviation
23 of poverty;

24 (7) help end human rights abuses and violence
25 against civilians by the security forces of Zimbabwe
26 and hold those engaged in these abuses accountable;

1 (8) maintain targeted sanctions against individ-
2 uals who continue to undermine the democratic proc-
3 esses and review and update existing sanctions to re-
4 flect changing conditions on the ground;

5 (9) create programs designed to provide job op-
6 portunities of practical national value for youth in
7 Zimbabwe to help alleviate poverty, restore the econ-
8 omy, contribute to the reconstruction of Zimbabwe,
9 and give such youth income and a sense of achieve-
10 ment and self-worth in an otherwise hopeless envi-
11 ronment;

12 (10) contribute to the African Development
13 Bank-administered Zimbabwe Multi-Donor Trust
14 Fund;

15 (11) press for full compliance with the Kim-
16 berley Process diamond certification scheme;

17 (12) support credible efforts to conduct a com-
18 prehensive, transparent, and nonpartisan land audit
19 as a critical step toward establishing accountability
20 and security of tenure;

21 (13) engage international partners and regional
22 governments to develop a coordinated strategy to
23 prepare for future elections in Zimbabwe, particu-
24 larly to help reduce the risk of violence and other
25 election-related abuses; and

1 (14) strengthen the relationship with Zimbabwe
2 based on the policy objectives specified in para-
3 graphs (1) through (11) and to engage the talents
4 and skills of the Zimbabwean Diaspora towards that
5 end.

6 **SEC. 4. ASSISTANCE TO STRENGTHEN THE RULE OF LAW**
7 **AND HUMAN RIGHTS IN ZIMBABWE.**

8 (a) **AUTHORIZATION OF ASSISTANCE.**—The Sec-
9 retary of State is authorized to provide assistance to
10 strengthen the rule of law and human rights in Zimbabwe.

11 (b) **ACTIVITIES SUPPORTED.**—Activities that may be
12 supported by assistance under subsection (a) include—

13 (1) providing assistance to strengthen local gov-
14 ernment, councils, parliament, and the judiciary in
15 Zimbabwe;

16 (2) providing assistance for urban, peri-urban,
17 and rural programs focused on reconciliation efforts
18 in order to address past abuses and pave the way for
19 peaceful political participation;

20 (3) providing training and funding for civil soci-
21 ety and human rights groups in election monitoring,
22 human rights related activities, and democratic insti-
23 tution building;

24 (4) providing support for training, monitoring,
25 and evaluation of the security sector that is con-

1 sistent with the Southern Africa Development Com-
2 munity Protocol on Politics, Defense, and Security
3 Co-operation, which requires that security forces
4 “shall at all times promote the peaceful settlement
5 of disputes by negotiation, conciliation, mediation, or
6 arbitration”;

7 (5) helping strengthen the independent press;

8 (6) supporting local and national human rights
9 groups and other relevant civil society organizations
10 to help strengthen human rights monitoring and reg-
11 ular reporting on human rights conditions in
12 Zimbabwe;

13 (7) supporting victims of political violence, with
14 priority to victims of sexual violence, trade unionists,
15 survivors of the Gukurahundi Campaign, and the
16 victims of the 2005 Operation Murambatsvina, par-
17 ticularly micro-entrepreneurs and informal sector
18 traders, and such assistance shall be implemented by
19 a new Zimbabwe Human Rights Trust Fund or
20 through a locally administered and implemented
21 rural human rights program similar to the
22 Zimbabwe Alliance;

23 (8) strengthening the independence of the judi-
24 ciary through—

1 (A) providing training and material sup-
2 port to court personnel and civil society groups;
3 and

4 (B) instituting and expanding exchange
5 programs between United States and
6 Zimbabwean jurists, law schools, and other
7 groups in the legal sector;

8 (9) establishing a program in consultation with
9 Zimbabwean civil society, human rights groups, and
10 other relevant groups for a judicial monitoring proc-
11 ess by local, national, and international groups, to
12 monitor judicial proceedings throughout Zimbabwe
13 focused on politically motivated government inter-
14 vention on judicial matters; and

15 (10) supporting anti-corruption programs, in-
16 cluding reporting on national incomes and the devel-
17 opment of a national transparency framework.

18 **SEC. 5. ASSISTANCE FOR SUSTAINABLE DEVELOPMENT,**
19 **HEALTH CARE, EDUCATION, AGRICULTURE,**
20 **CLEAN WATER, AND EMERGENCY VOCA-**
21 **TIONAL WORK PROGRAM FOR YOUTH IN**
22 **ZIMBABWE.**

23 (a) SUSTAINABLE DEVELOPMENT.—The President,
24 in consultation with other donors, is authorized to provide

1 assistance, as needed, for sustainable development in
2 Zimbabwe.

3 (b) HEALTH CARE ASSISTANCE.—The President is
4 authorized to provide assistance for the health care sector
5 in Zimbabwe and provide material support to hospitals,
6 clinics, and health care centers in Zimbabwe.

7 (c) EDUCATION ASSISTANCE.—The President is au-
8 thorized to provide assistance to strengthen the education
9 sector in Zimbabwe, including by providing teacher train-
10 ing, refurbishment of education facilities, and material
11 support.

12 (d) AGRICULTURE ASSISTANCE.—

13 (1) AUTHORIZATION OF ASSISTANCE.—The
14 President is authorized to provide expanded assist-
15 ance for the agriculture sector in Zimbabwe to en-
16 able self-sufficiency, support for irrigation and water
17 harvesting systems, and provide funding for nec-
18 essary agricultural supplies.

19 (2) ACTIVITIES SUPPORTED.—Activities that
20 may be supported by assistance under paragraph (1)
21 include—

22 (A) supporting market-based mechanisms
23 for the provision of credit and access to the in-
24 puts necessary for agricultural production and

1 for the handling, marketing, storage, and proc-
2 essing of agricultural commodities;

3 (B) encouraging policies that provide in-
4 centives for agricultural production; and

5 (C) supporting institutions that provide
6 technical assistance and financial support to the
7 agriculture sector.

8 (e) CLEAN WATER.—The President is authorized to
9 provide assistance for the rehabilitation of the water treat-
10 ment facilities and sewer systems in Zimbabwe.

11 (f) EMERGENCY VOCATIONAL WORK PROGRAM FOR
12 YOUTH.—The President shall develop an emergency voca-
13 tional work program for youth in Zimbabwe with cash pay-
14 ments for the construction and repair of public works of
15 benefit to the entire population of Zimbabwe.

16 (g) DELEGATION OF FUNCTIONS TO USAID.—The
17 functions of the President under this section shall be car-
18 ried out by the Administrator of the United States Agency
19 for International Development.

20 **SEC. 6. ASSISTANCE TO PROMOTE RECONCILIATION EF-**
21 **FORTS IN ZIMBABWE AND SUPPORT FULL IM-**
22 **PLEMENTATION OF THE GLOBAL POLITICAL**
23 **AGREEMENT.**

24 (a) AUTHORIZATION OF ASSISTANCE.—The Presi-
25 dent is authorized to provide economic assistance for

1 Zimbabwe in an effort to support democracy, the rule of
2 law, respect for human rights, economic self-sufficiency,
3 build civil authority, provide support in education and
4 health care, enhance judicial and legal frameworks to pro-
5 mote reconciliation efforts in Zimbabwe and support full
6 implementation of the Global Political Agreement (GPA).

7 (b) CONGRESSIONAL NOTIFICATION.—Assistance
8 may not be provided under subsection (a) until 15 days
9 after the date on which the President notifies and certifies
10 to Congress that progress is being made in the implemen-
11 tation of the Global Political Agreement.

12 (c) SUPPORT FOR LAND REFORM AND AGRICUL-
13 TURAL DEVELOPMENT.—

14 (1) FINDINGS.—Congress finds that—

15 (A) sanctions on financial institutions that
16 provide lines of credit and other financial serv-
17 ices to vast numbers of communal farmers in
18 Zimbabwe have severely harmed the ability of
19 such farmers and small businesses to sustain
20 their livelihoods;

21 (B) sanctions on financial institutions that
22 provide branch networks in Zimbabwe and
23 other financial services to civil servants, pen-
24 sioners, and the people of Zimbabwe have se-

1 verely harmed such civil servants, pensioners,
2 and the people of Zimbabwe; and

3 (C) sanctions described in subparagraphs
4 (A) and (B) have resulted in suppressed earn-
5 ings for the National Social Security Authority,
6 the entity established by the Government of
7 Zimbabwe to administer social security schemes
8 in Zimbabwe, and consequently the Authority
9 has not been able to competitively remunerate
10 its pensioners.

11 (2) SENSE OF CONGRESS.—If the requirements
12 described in paragraph (3) are met, it is the sense
13 of Congress that—

14 (A) sanctions described in paragraph (1)
15 (A) and (B) should be lifted in order to allow
16 financial institutions described in such para-
17 graph to assist communal farmers, civil serv-
18 ants, pensioners, and the people of Zimbabwe;
19 and

20 (B) technical assistance should be provided
21 to such financial institutions to rebuild their ca-
22 pacity to gain access to international capital.

23 (3) REQUIREMENTS.—The requirements re-
24 ferred to in paragraph (2) are the following:

1 (A) The Finance Ministry of Zimbabwe
2 does not politicize lending or extending credit.

3 (B) No individual who is subject to United
4 States or European Union sanctions serves as
5 a board member, advisor, or employee of any fi-
6 nancial institution in Zimbabwe.

7 (C) No funds provided to Zimbabwe are
8 made available to Zimbabwe's Reserve Bank.

9 **SEC. 7. TECHNICAL ASSISTANCE FOR ZIMBABWE.**

10 The Secretary of the Treasury, acting through the
11 Office of Technical Assistance, is authorized to provide
12 technical assistance to the Zimbabwean Ministry of Fi-
13 nance and line ministries, as appropriate, relating to ac-
14 tivities to improve the Ministry Finance's ability to cap-
15 ture, manage, and expend resources transparently to ad-
16 dress public and private sector needs in Zimbabwe.

17 **SEC. 8. DEBT RELIEF FOR ZIMBABWE.**

18 (a) DEBT RELIEF.—The Secretary of the Treasury
19 shall—

20 (1) forgive the debt of Zimbabwe held by any
21 agency of the United States Government; and

22 (2) in consultation with the Secretary of State,
23 gather information on—

1 (A) the debt of Zimbabwe held by inter-
2 national financial institutions and private finan-
3 cial institutions; and

4 (B) the feasibility and advisability of re-
5 structuring, rescheduling, or eliminating such
6 debt in the future.

7 (b) INTERNATIONAL FINANCIAL INSTITUTIONS.—
8 The Secretary of the Treasury shall direct the United
9 States Executive Director at each international financial
10 institution of which the United States is a member to vote
11 in favor of programs proposed or being considered by the
12 institution for Zimbabwe.

13 (c) DEFINITIONS.—In this section:

14 (1) INTERNATIONAL FINANCIAL INSTITU-
15 TION.—The term “international financial institu-
16 tion” means each multilateral development bank and
17 the International Monetary Fund.

18 (2) MULTILATERAL DEVELOPMENT BANK.—
19 The term “multilateral development bank” means—

20 (A) the International Bank for Reconstruc-
21 tion and Development;

22 (B) the International Development Asso-
23 ciation;

24 (C) the International Finance Corporation;

1 (D) the Inter-American Development
2 Bank;
3 (E) the Asian Development Bank;
4 (F) the Inter-American Investment Cor-
5 poration;
6 (G) the African Development Bank;
7 (H) the African Development Fund;
8 (I) the European Bank for Reconstruction
9 and Development; and
10 (J) the Multilateral Investment Guarantee
11 Agency.

12 **SEC. 9. REVIEW OF TARGETED SANCTIONS IN SUPPORT OF**
13 **PEACE AND DEMOCRACY IN ZIMBABWE.**

14 Notwithstanding any other provision of law, restric-
15 tions against any person that are imposed pursuant to Ex-
16 ecutive Order 13288 (68 Fed. Reg. 11457–11461; relating
17 to blocking property of persons undermining democratic
18 processes or institutions in Zimbabwe) shall be removed
19 when the President certifies to Congress that such per-
20 son—

21 (1) has taken significant steps to help strength-
22 en democracy, respect human rights, and the rule of
23 law in Zimbabwe; and
24 (2) has played a constructive role in the imple-
25 mentation of the Global Political Agreement.

1 **SEC. 10. REPORT.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the President shall transmit to Congress
4 a report on the implementation of this Act, including a
5 description of a comprehensive plan to address issues of
6 human rights, democratization, and economic conditions
7 in Zimbabwe.

8 **SEC. 11. OTHER PROVISIONS OF LAW SUPERSEDED.**

9 Each of the authorities contained in sections 3
10 through 8 of this Act may be carried out notwithstanding
11 any other provision of law.

12 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—There are authorized to be appro-
14 priated such sums as may be necessary to carry out this
15 Act.

16 (b) AVAILABILITY.—Amounts appropriated pursuant
17 to the authorization of appropriations under subsection (a)
18 are authorized to remain available until expended.

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