

107TH CONGRESS
1ST SESSION **S. 494**

AMENDMENT

In the House of Representatives, U. S.,

December 4, 2001.

Resolved, That the bill from the Senate (S. 494) entitled “An Act to provide for a transition to democracy and to promote economic recovery in Zimbabwe”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Zimbabwe Democracy
3 and Economic Recovery Act of 2001”.*

4 **SEC. 2. STATEMENT OF POLICY.**

5 *It is the policy of the United States to support the peo-
6 ple of Zimbabwe in their struggle to effect peaceful, demo-
7 cratic change, achieve broad-based and equitable economic
8 growth, and restore the rule of law.*

9 **SEC. 3. DEFINITIONS.**

10 *In this Act:*

11 *(1) INTERNATIONAL FINANCIAL INSTITUTIONS.—*

12 *The term “international financial institutions”*
13 *means the multilateral development banks and the*
14 *International Monetary Fund.*

12 SEC. 4. SUPPORT FOR DEMOCRATIC TRANSITION AND ECO-
13 NOMIC RECOVERY.

14 (a) *FINDINGS.*—Congress makes the following findings:

15 (1) *Through economic mismanagement, undemo-*

16 *cratic practices, and the costly deployment of troops*

17 *to the Democratic Republic of the Congo, the Govern-*

18 *ment of Zimbabwe has rendered itself ineligible to*

19 *participate in International Bank for Reconstruction*

20 *and Development and International Monetary Fund*

21 *programs, which would otherwise be providing sub-*

22 *stantial resources to assist in the recovery and mod-*

23 *ernization of Zimbabwe's economy. The people of*

24 *Zimbabwe have thus been denied the economic and*

1 *democratic benefits envisioned by the donors to such*
2 *programs, including the United States.*

3 *(2) In September 1999 the IMF suspended its*
4 *support under a “Stand By Arrangement”, approved*
5 *the previous month, for economic adjustment and re-*
6 *form in Zimbabwe.*

7 *(3) In October 1999, the International Develop-*
8 *ment Association (in this section referred to as the*
9 *“IDA”) suspended all structural adjustment loans,*
10 *credits, and guarantees to the Government of*
11 *Zimbabwe.*

12 *(4) In May 2000, the IDA suspended all other*
13 *new lending to the Government of Zimbabwe.*

14 *(5) In September 2000, the IDA suspended dis-*
15 *bursement of funds for ongoing projects under pre-*
16 *viously-approved loans, credits, and guarantees to the*
17 *Government of Zimbabwe.*

18 *(b) SUPPORT FOR DEMOCRATIC TRANSITION AND ECO-*
19 *NOMIC RECOVERY.—*

20 *(1) BILATERAL DEBT RELIEF.—Upon receipt by*
21 *the appropriate congressional committees of a certifi-*
22 *cation described in subsection (d), the Secretary of the*
23 *Treasury shall undertake a review of the feasibility of*
24 *restructuring, rescheduling, or eliminating the sov-*

1 *overeign debt of Zimbabwe held by any agency of the*
2 *United States Government.*

3 *(2) MULTILATERAL DEBT RELIEF AND OTHER FI-*
4 *NANCIAL ASSISTANCE.—It is the sense of Congress*
5 *that, upon receipt by the appropriate congressional*
6 *committees of a certification described in subsection*
7 *(d), the Secretary of the Treasury should—*

8 *(A) direct the United States executive direc-*
9 *tor of each multilateral development bank to pro-*
10 *pose that the bank should undertake a review of*
11 *the feasibility of restructuring, rescheduling, or*
12 *eliminating the sovereign debt of Zimbabwe held*
13 *by that bank; and*

14 *(B) direct the United States executive direc-*
15 *tor of each international financial institution to*
16 *which the United States is a member to propose*
17 *to undertake financial and technical support for*
18 *Zimbabwe, especially support that is intended to*
19 *promote Zimbabwe's economic recovery and de-*
20 *velopment, the stabilization of the Zimbabwean*
21 *dollar, and the viability of Zimbabwe's demo-*
22 *cratic institutions.*

23 *(c) MULTILATERAL FINANCING RESTRICTION.—Until*
24 *the President makes the certification described in subsection*
25 *(d), and except as may be required to meet basic human*

1 *needs or for good governance, the Secretary of the Treasury*
2 *shall instruct the United States executive director to each*
3 *international financial institution to oppose and vote*
4 *against—*

5 *(1) any extension by the respective institution of*
6 *any loan, credit, or guarantee to the Government of*
7 *Zimbabwe; or*

8 *(2) any cancellation or reduction of indebtedness*
9 *owed by the Government of Zimbabwe to the United*
10 *States or any international financial institution.*

11 *(d) PRESIDENTIAL CERTIFICATION THAT CERTAIN*
12 *CONDITIONS ARE SATISFIED.—A certification under this*
13 *subsection is a certification transmitted to the appropriate*
14 *congressional committees of a determination made by the*
15 *President that the following conditions are satisfied:*

16 *(1) RESTORATION OF THE RULE OF LAW.—The*
17 *rule of law has been restored in Zimbabwe, including*
18 *respect for ownership and title to property, freedom of*
19 *speech and association, and an end to the lawlessness,*
20 *violence, and intimidation sponsored, condoned, or*
21 *tolerated by the Government of Zimbabwe, the ruling*
22 *party, and their supporters or entities.*

23 *(2) ELECTION OR PRE-ELECTION CONDITIONS.—*
24 *Either of the following two conditions is satisfied:*

6 (e) *WAIVER.*—*The President may waive the provisions*
7 *of subsection (b)(1) or subsection (c), if the President deter-*
8 *mines that it is in the national interest of the United States*
9 *to do so.*

10 **SEC. 5. SUPPORT FOR DEMOCRATIC INSTITUTIONS, THE**
11 **FREE PRESS AND INDEPENDENT MEDIA, AND**
12 **THE RULE OF LAW.**

13 (a) *IN GENERAL.*—The President is authorized to pro-
14 vide assistance under part I and chapter 4 of part II of
15 the Foreign Assistance Act of 1961 to—

16 (1) support an independent and free press and
17 electronic media in Zimbabwe;

3 (b) *FUNDING.*—Of the funds authorized to be appro-
4 priated to carry out part I and chapter 4 of part II of
5 the Foreign Assistance Act of 1961 for fiscal year 2002—

(c) *SUPERSEDES OTHER LAWS.—The authority in this section supersedes any other provision of law.*

13 **SEC. 6. SENSE OF CONGRESS ON THE ACTIONS TO BE**
14 ***TAKEN AGAINST INDIVIDUALS RESPONSIBLE***
15 ***FOR VIOLENCE AND THE BREAKDOWN OF***
16 ***THE RULE OF LAW IN ZIMBABWE.***

17 *It is the sense of Congress that the President should*
18 *begin immediate consultation with the governments of Eu-*
19 *ropean Union member states, Canada, and other appro-*
20 *priate foreign countries on ways in which to—*

- 1 (2) identify assets of those individuals held out-
- 2 side Zimbabwe;
- 3 (3) implement travel and economic sanctions
- 4 against those individuals and their associates and
- 5 families; and
- 6 (4) provide for the eventual removal or amend-
- 7 ment of those sanctions.

Attest:

Clerk.