

107TH CONGRESS  
1ST SESSION

# S. 494

To provide for a transition to democracy and to promote economic recovery  
in Zimbabwe.

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IN THE SENATE OF THE UNITED STATES

MARCH 8, 2001

Mr. FRIST (for himself and Mr. FEINGOLD) introduced the following bill;  
which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To provide for a transition to democracy and to promote  
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,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Zimbabwe Democracy  
5 and Economic Recovery Act of 2001”.

**6 SEC. 2. STATEMENT OF POLICY.**

7       It is the policy of the United States to support the  
8 people of Zimbabwe in their struggle to effect peaceful,  
9 democratic change, achieve broad-based and equitable eco-  
10 nomic growth, and restore the rule of law.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) INTERNATIONAL FINANCIAL INSTITU-  
4 TIONS.—The term “international financial institu-  
5 tions” means the multilateral development banks  
6 and the International Monetary Fund.7 (2) MULTILATERAL DEVELOPMENT BANKS.—  
8 The term “multilateral development banks” means  
9 the International Bank for Reconstruction and De-  
10 velopment, the International Development Associa-  
11 tion, the International Finance Corporation, the  
12 Inter-American Development Bank, the Asian Devel-  
13 opment Bank, the Inter-American Investment Cor-  
14 poration, the African Development Bank, the Afri-  
15 can Development Fund, the European Bank for Re-  
16 construction and Development, and the Multilateral  
17 Investment Guaranty Agency.18 **SEC. 4. SUPPORT FOR DEMOCRATIC TRANSITION AND ECO-  
19 NOMIC RECOVERY.**20 (a) FINDINGS.—Congress makes the following find-  
21 ings:22 (1) Through economic mismanagement, un-  
23 democratic practices, and the costly deployment of  
24 troops to the Democratic Republic of the Congo, the  
25 Government of Zimbabwe has rendered itself ineli-  
26 gible to participate in International Bank for Recon-

1 struction and Development and International Mone-  
2 tary Fund programs, which would otherwise be pro-  
3 viding substantial resources to assist in the recovery  
4 and modernization of Zimbabwe's economy. The peo-  
5 ple of Zimbabwe have thus been denied the economic  
6 and democratic benefits envisioned by the donors to  
7 such programs, including the United States.

17 (4) In May 2000, the IDA suspended all other  
18 new lending to the Government of Zimbabwe.

23 (b) SUPPORT FOR DEMOCRATIC TRANSITION AND  
24 ECONOMIC RECOVERY.—Upon receipt by the appropriate

1 congressional committees of a certification described in  
2 subsection (d), the following shall apply:

3 (1) DEBT RELIEF AND OTHER FINANCIAL AS-  
4 SISTANCE.—The Secretary of the Treasury shall—

5 (A) undertake a review of the feasibility of  
6 restructuring, rescheduling, or eliminating the  
7 sovereign debt of Zimbabwe held by any agency  
8 of the United States Government;

9 (B) direct the United States executive di-  
10 rector of each multilateral development bank to  
11 propose that the bank should undertake a re-  
12 view of the feasibility of restructuring, resched-  
13 uling, or eliminating the sovereign debt of  
14 Zimbabwe held by that bank; and

15 (C) direct the United States executive di-  
16 rector of each international financial institution  
17 to which the United States is a member to pro-  
18 pose to undertake financial and technical sup-  
19 port for Zimbabwe, especially support that is  
20 intended to promote Zimbabwe's economic re-  
21 covery and development, the stabilization of the  
22 Zimbabwean dollar, and the viability of  
23 Zimbabwe's democratic institutions.

24 (2) ESTABLISHMENT OF A SOUTHERN AFRICA  
25 FINANCE CENTER.—The President should direct the

1 establishment of a Southern Africa Finance Center  
2 located in Zimbabwe that will include regional offices  
3 of the Overseas Private Investment Corporation, the  
4 Export-Import Bank of the United States, and the  
5 Trade and Development Agency for the purpose of  
6 facilitating the development of commercial projects  
7 in Zimbabwe and the southern Africa region.

8 (c) MULTILATERAL FINANCING RESTRICTION.—  
9 Until the President makes the certification described in  
10 subsection (d), and except as may be required to meet  
11 basic human needs or for good governance, the Secretary  
12 of the Treasury shall instruct the United States executive  
13 director to each international financial institution to op-  
14 pose and vote against—

15 (1) any extension by the respective institution  
16 of any loan, credit, or guarantee to the Government  
17 of Zimbabwe; or

18 (2) any cancellation or reduction of indebted-  
19 ness owed by the Government of Zimbabwe to the  
20 United States or any international financial institu-  
21 tion.

22 (d) PRESIDENTIAL CERTIFICATION THAT CERTAIN  
23 CONDITIONS ARE SATISFIED.—A certification under this  
24 subsection is a certification transmitted to the appropriate

- 1 congressional committees of a determination made by the
- 2 President that the following conditions are satisfied:

10 (2) ELECTION OR PRE-ELECTION CONDI-  
11 TIONS.—Either of the following two conditions is  
12 satisfied:

13 (A) PRESIDENTIAL ELECTION.—Zimbabwe  
14 has held a presidential election that is widely  
15 accepted as free and fair by independent inter-  
16 national monitors, and the president-elect is  
17 free to assume the duties of the office.

18 (B) PRE-ELECTION CONDITIONS.—In the  
19 event the certification is made before the presi-  
20 dential election takes place, the Government of  
21 Zimbabwe has sufficiently improved the pre-  
22 election environment to a degree consistent with  
23 accepted international standards for security  
24 and freedom of movement and association.

20 (e) WAIVER.—The President may waive the provi-  
21 sions of subsection (b) or subsection (c), if the President  
22 determines that it is in the national interest of the United  
23 States to do so.

1   **SEC. 5. SUPPORT FOR DEMOCRATIC INSTITUTIONS, THE**  
2           **FREE PRESS AND INDEPENDENT MEDIA, AND**  
3           **THE RULE OF LAW.**

4       (a) IN GENERAL.—The President is authorized to  
5 provide assistance under part I and chapter 4 of part II  
6 of the Foreign Assistance Act of 1961 to—

7           (1) support an independent and free press and  
8 electronic media in Zimbabwe;

9           (2) support equitable, legal, and transparent  
10 mechanisms of land reform in Zimbabwe, including  
11 the payment of costs related to the acquisition of  
12 land and the resettlement of individuals, consistent  
13 with the International Donors' Conference on Land  
14 Reform and Resettlement in Zimbabwe held in  
15 Harare, Zimbabwe, in September 1998, or any sub-  
16 sequent agreement relating thereto; and

17           (3) for democracy and governance programs in  
18 Zimbabwe.

19       (b) FUNDING.—Of the funds made available to carry  
20 out part I and chapter 4 of part II of the Foreign Assist-  
21 ance Act of 1961 for fiscal year 2002—

22           (1) not less than \$20,000,000 is authorized to  
23 be available to provide the assistance described in  
24 subsection (a)(2); and

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

6 SEC. 6. SENSE OF CONGRESS ON THE ACTIONS TO BE  
7 TAKEN AGAINST INDIVIDUALS RESPONSIBLE  
8 FOR VIOLENCE AND THE BREAKDOWN OF  
9 THE RULE OF LAW IN ZIMBABWE.

10 It is the sense of Congress that the President should  
11 begin immediate consultation with the governments of Eu-  
12 ropean Union member states, Canada, and other appro-  
13 priate foreign countries on ways in which to—

14 (1) identify and share information regarding in-  
15 dividuals responsible for the deliberate breakdown of  
16 the rule of law, politically motivated violence, and in-  
17 timidation in Zimbabwe;

18 (2) identify assets of those individuals held out-  
19 side Zimbabwe:

20 (3) implement travel and economic sanctions  
21 against those individuals and their associates and  
22 families; and

23 (4) provide for the eventual removal or amend-  
24 ment of those sanctions.

