

EUROPEAN PARLIAMENT

2004



2009

Session document

7.7.2008

B6-0347/2008

MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure, by

- Michael Gahler, Maria Martens and Geoffrey Van Orden, on behalf of the PPE-DE Group
- Josep Borrell Fontelles, Ana Maria Gomes, Alain Hutchinson, Glenys Kinnock and Pasqualina Napoletano, on behalf of the PSE Group
- Fiona Hall, Sarah Ludford, Johan Van Hecke, Thierry Cornillet and Elizabeth Lynne, on behalf of the ALDE Group
- Konrad Szymański, Adam Bielan, Hanna Foltyn-Kubicka, Ryszard Czarnecki, Mieczysław Edmund Janowski, Ewa Tomaszewska and Eoin Ryan, on behalf of the UEN Group
- Frithjof Schmidt, on behalf of the Verts/ALE Group

on the situation in Zimbabwe

European Parliament resolution on the situation in Zimbabwe

The European Parliament,

- having regard to its previous resolutions on Zimbabwe, in particular that of 24 April 2008,
 - having regard to Council Common Position 2008/135/CFSP of 18 February 2008 renewing until 20 February 2009 the restrictive measures against Zimbabwe imposed under Common Position 2004/161/CFSP,
 - having regard to the Council Conclusions on Zimbabwe adopted on 26-27 May 2008 and 29 April 2008,
 - having regard to the resolution on the forthcoming election run-off in Zimbabwe, adopted by the African Commission on Human and Peoples' Rights (the African Commission) meeting at its 43rd Ordinary Session in Ezulwini, Kingdom of Swaziland, from 7 to 22 May 2008,
 - having regard to the report of the Pan-African Parliament Election Observer Mission on the harmonised elections in the Republic of Zimbabwe on 29 March 2008,
 - having regard to the Presidency Conclusions of the European Council of 19-20 June 2008, which confirm the readiness of the EU to adopt additional measures against those responsible for the violence,
 - having regard to the preliminary statement of the Southern African Development Community (SADC) Election Observer Mission on the Zimbabwe presidential run-off and House of Assembly by-elections of 29 June,
 - having regard to the interim statement of the Pan-African Parliament Election Observer Mission to the presidential run-off and parliamentary by-elections in Zimbabwe of 30 June 2008,
 - having regard to the preliminary statement of the African Union Observer Mission to Zimbabwe of 29 June 2008,
 - having regard to the resolution on Zimbabwe adopted at the 11th African Union Summit, held in Sharm el-Sheikh on 30 June-1 July 2008,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the presidential run off took place on 27 June 2008 despite the withdrawal of the presidential candidate Tsvangirai due to increasing violence and restrictions on the opposition party and supporters,

- B. whereas monitors from the SADC, the Pan-African Parliament and the African Union said the run-off vote was undermined by violence, fell short of AU and SADC standards and did not reflect the will of the people,
- C. whereas elections to the House of Assembly of Zimbabwe, the Senate of Zimbabwe, the Presidency and the organs of local government took place on 29 March 2008,
- D. whereas, according to official results released by the Zimbabwe Electoral Commission, the opposition party MDC won a majority of seats in the House of Assembly, while Mr Morgan Tsvangirai won 47.9% and Mr Robert Mugabe won 43.2% of the votes in the presidential election,
- E. whereas the results of the presidential election were delayed for several weeks, thus undermining the credibility and transparency of the electoral process,
- F. whereas Robert Mugabe declared before the run-off election that the opposition Movement for Democratic Change (MDC) would never rule Zimbabwe and that he was prepared to fight to prevent them from taking power,
- G. whereas, in the run-up to the second round of the presidential election, activists and supporters of the opposition suffered from state-sponsored violence, torture, intimidation and arbitrary arrests, and according to the MDC at least 86 of its supporters were killed and 200 000 displaced from their homes,
- H. whereas, during the election campaign, Mr Tsvangirai was arrested several times, pursued by armed soldiers and forced to take refuge in the Dutch Embassy in Harare,
- I. whereas MDC Secretary General Mr Tendai Biti was arrested on 12 June and charged with subversion and treason,
- J. whereas the state media banned MDC campaign adverts, thus impeding a free and fair electoral campaign; whereas the MDC rally planned for 22 June 2008 in Harare was obstructed by violent supporters of ZANU-PF,
- K. whereas on 24 June ANC President Jacob Zuma described the situation in Zimbabwe as 'out of control', calling for urgent intervention by the United Nations and the SADC,
- L. whereas the UN Security Council has at last unanimously condemned the campaign of violence being waged by the Zimbabwean Government, though falling short of declaring this election illegitimate, owing to South Africa's objection,
- M. whereas journalists have been harassed and intimidated and foreign journalists barred from entering the country,
- N. whereas police have arbitrarily arrested civil society activists, including members of church-based civic groups in Harare, and a number of NGOs and aid agencies have had to suspend their operations,
- O. whereas President Mbeki's 'silent diplomacy' over the years has unfortunately not produced any tangible results as regards the political situation in Zimbabwe and his

notable sympathies for Mugabe eventually led to a refusal by the Zimbabwe opposition to accept him as a mediator,

- P. whereas the crisis in Zimbabwe is producing spill-over effects into neighbouring countries, notably South Africa,
 - Q. whereas, according to a report of the Food and Agriculture Organisation and the World Food Programme, an estimated two million face hunger between next month and September in Zimbabwe, and this figure is expected to rise to 5.1 million in January-March 2009,
 - R. whereas one in ten children in Zimbabwe die before their fifth birthday and life expectancy is 37 years for men, and 34 years for women,
1. Stresses that the elections of 27 June cannot be regarded as legitimate, and welcomes the EU Presidency's statement of 28 June clearly stating this position;
 2. Strongly condemns the government-sponsored campaign of violence against the political opposition ahead of the second round of the presidential election, which resulted in the killing, arbitrary arrest and harassment of opposition activists and supporters as well as human rights defenders;
 3. Considers that the campaign of violence, threats and intimidation against the opposition made a free and fair run-off presidential election in Zimbabwe impossible, as widely acknowledged by the international community, including the African election observers and African leaders;
 4. Welcomes the UNSC presidential statement condemning the conduct of Zimbabwe's presidential election;
 5. Calls on all African countries and the wider international community to refuse to recognise the Mugabe regime;
 6. Calls on the AU, the SADC and the UN to facilitate an inclusive mediation process with clear timeframes for negotiations, enabling a rapid and positive solution to the Zimbabwe crisis, based on free and fair elections;
 7. Stresses that for the mediation effort to lead to meaningful and productive national dialogue, external actors other than President Mbeki must be brought in, and internal dialogue should not be restricted to the two political parties, but rather include other civil society actors such as NGOs, Churches, and trade unions;
 8. Calls for a negotiated settlement of the current crisis, leading to the creation of a transitional administration, with a mandate to end the state-sponsored violence, demobilise militias, repeal repressive legislation, resolve the humanitarian crisis, stabilise the economy, initiate an inclusive constitutional review process, and reconstitute the Zimbabwe Electoral Commission (ZEC) in order to create conditions for free and fair presidential elections in the near future under the auspice of the AU and the UN;

9. Calls on the UN to put in place a full and independent investigation of the human rights violations which were committed and insists that those responsible must not enjoy impunity and must be brought before a competent and impartial tribunal;
10. Underlines the need for the rehabilitation of the victims and calls for transitional justice measures, including the setting-up of a Truth and Reconciliation Commission;
11. Welcomes the position of many African countries, as well as a large group of highly respected African personalities, including Nelson Mandela, Desmond Tutu and Kofi Annan, condemning the situation in Zimbabwe, and encourages them to engage concretely in a political and democratic solution;
12. Supports Botswana in its calls for Zimbabwe to be suspended from African forums until free and fair elections are held;
13. Calls for South Africa to assume a key role in the SADC region for the future of Zimbabwe, and deeply regrets South Africa's refusal in the UNSC to declare this election illegitimate;
14. Calls on the international community to increase diplomatic pressure on the Mugabe regime to immediately stop all violence, and to allow the Parliament which was duly elected 3 months ago to convene;
15. Calls on the Council to tighten and extend targeted sanctions against members of the Mugabe regime and others responsible for grave violations of human rights, if mediation efforts are not accepted and the state-sponsored violence is not ended, and to press for sanctions to be adopted at UN level, including an arms embargo and a comprehensive freeze of assets of the entire government and ruling party leadership; underlines the need to strictly implement them and to coordinate with the wider international community in order to ensure their effectiveness, and to prevent evasions;
16. Insists that such coercive measures should name and shame those business people responsible for financing the repressive ZANU-PF regime, including rescinding their rights of residence in Europe, and denying their family members access to employment and educational institutions, as well as exposing to shareholders the international banks which act as conduits for corrupt earnings, or provide loans and investment such as Barclays Bank, Standard Chartered and others; encourages other European and international companies to review any activities that allow the regime access to hard currency and, in this context, welcomes Tesco's and Giesecke and Devrient's decision to end business relations with Zimbabwe;
17. Calls, consequently, on the Member States not to grant any visa to Mugabe, his cabinet and the ZANU PF leadership for any national or international purpose on EU territory, as they, representing an illegitimate de facto regime, cannot claim any privileges under relevant international conventions on diplomatic freedoms and privileges;
18. Calls on Member States, the Council and the Commission to step up the diplomatic engagement with African governments, the SADC and the AU, as well as with other important actors, including the Chinese Government, in order to identify common

positions on the crisis in Zimbabwe;

19. Calls on China and Libya to cease their support for the Mugabe regime;
20. Calls on the Council and the Commission to engage specifically with South Africa, as the key country of the region, in order to express our deep concern at the failure to produce any tangible mediation results over the last years with regard to the crisis in Zimbabwe, to point out that the impact of this crisis on neighbouring countries, including South Africa, should not be disregarded in the region and to clarify that continued political and economic support for the Mugabe regime might have negative effects on relations between the EU and South Africa;
21. Calls on the Council to push for effective and tangible international conflict-prevention and mitigation measures, if needed with the rapid deployment of AU/UN peacekeeping troops;
22. Urges the immediate release of all persons detained for solely political reasons;
23. Notes the devastating impact that the political crisis is having upon the people of Zimbabwe, and calls on the Mugabe Government to lift all restrictions against humanitarian aid agencies and to ensure that humanitarian aid can be delivered in accordance with the principles of humanity, neutrality, impartiality and independence;
24. Calls on the Zimbabwe Government to immediately disarm and demobilise youth militias and war veterans and prosecute cases against individuals who have committed human rights violations;
25. Condemns the fact that a United Nations human rights official was expelled from Zimbabwe one week before the scheduled elections, and calls on the government to grant unhindered access to UN staff;
26. Calls on the South African authorities to end the deportation of Zimbabwean refugees and to grant them a temporary status until a safe return is possible;
27. Calls on the Commission to step up support for human rights defenders and react swiftly to additional humanitarian needs caused by the political crisis, in particular with regard to the needs and safety of Internally Displaced People;
28. Expresses its concern about the 10% - 40% predicted increase in numbers of Zimbabweans crossing borders in the next few weeks; notes that, among these migrants, children will be in a particularly vulnerable situation, at risk of abuse and forced to take up dangerous jobs such as mining, handling farm machinery or sex work in order to survive;
29. Calls on the EU to halt any aid that is distributed through the current Zimbabwean authorities and to channel it through national and international independent institutions and organisations instead;

30. Insists that the democratic wishes of the Zimbabwean people be respected; urges all those who wish to participate in the future of Zimbabwe to cooperate with the forces of democratic change;
31. Calls on the Zimbabwean Government to honour its own commitments to democratic principles, human rights and the rule of law as a signatory to the SADC Treaty and the Protocols thereto, including the SADC electoral protocol, the Constitutive Act of the African Union, the African Charter on Human and Peoples' Rights and the New Partnership for Africa's Development;
32. Calls on those of goodwill in the structures of the regime and in Zanu-PF to reject the anti-democratic forces and to take action to cooperate with the MDC in bringing about rapid change before it is too late;
33. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments of the G8 countries, the governments and parliaments of Zimbabwe and South Africa, the Secretary-General of the Commonwealth, the Secretary-General of the United Nations, the Chairmen of the Commission and Executive Council of the African Union, the Pan-African Parliament, and the Secretary-General and governments of the Southern African Development Community and its Parliamentary Forum.