



Plenary sitting

B8-0997/2016

13.9.2016

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Zimbabwe
(2016/2882(RSP))

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on behalf of the PPE Group

B8-0997/2016

**European Parliament resolution on Zimbabwe
(2016/2882(RSP))**

The European Parliament,

- having regard to its previous resolutions on Zimbabwe, notably that of 21 May 2015,
 - having regard to the Local EU Statement on Local Governance of 30 June 2016,
 - having regard to the Local EU Statement on violence of 12 July 2016,
 - having regard to the Local EU Statements on the abduction of Itai Dzamara, and particularly that of 9 March 2016,
 - having regard to the Zimbabwe Human Rights Commission’s press statement on public protests and police conduct,
 - having regard to Council Decisions 2016/20/CFSP of 15 February 2016 extending EU restrictive measures against Zimbabwe until 20 February 2017,
 - having regard to the Declaration by the High Representative on behalf of the EU of 19 February 2014 on the review of EU-Zimbabwe relations,
 - having regard to the Global Political Agreement signed in 2008 by the three main political parties, namely ZANU PF, MDC-T and MDC,
 - having regard to the Council of the European Union conclusions of 23 July 2012 on Zimbabwe and to Council Implementing Decision 2012/124/CFSP concerning restrictive measures against Zimbabwe,
 - having regard to the African Charter of Human and Peoples’ Rights of June 1981, which Zimbabwe has ratified,
 - having regard to the Constitution of Zimbabwe,
 - having regard to the Cotonou Agreement,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas on 6 July 2016, Evan Mawarire, leader of the opposition movement ThisFlag, called for a national “stay away” day in protest against the government’s inaction against corruption, impunity and poverty; whereas this resulted in a massive shutdown of most shops and businesses in the capital and led to a severe crackdown by the authorities;

- B. whereas many activists involved in the shutdown were arrested, including Evan Mawarire who was charged with incitement to commit public violence and brought to court on 13 July 2016;
- C. whereas this has led to an escalation in protests against the Zimbabwean regime, with a growing number of public demonstrations taking place across the countries; whereas riot police has been reportedly responding with unlawful violence and human rights abuses, including beatings, abductions, the use of teargas, water cannons and baton charges;
- D. whereas in a public statement, the Zimbabwean Human Rights Commission expressed deep concern about the brutality and violent conduct of the police, stating that the fundamental rights of the demonstrators were violated, and called on the Zimbabwean authorities to investigate and bring the perpetrators to justice;
- E. whereas on 1 September 2016, the Zimbabwean government adopted a Statutory Instrument prohibiting the holding of “all public demonstrations” in the Harare Central Police District for a period of two weeks ranging from the 3rd to the 16th of September; whereas following a legal challenge launched by the opposition, the Harare High Court declared the measure unconstitutional and suspended the ban;
- F. whereas human rights groups estimate that hundreds of people have been arrested for participating in protests over the last month; whereas many are still illegally detained and have been allegedly beaten and assaulted while in custody;
- G. whereas the Zimbabwean authorities have repetitively used excessive force against peaceful demonstrators, due to their perceived opposition to the government; whereas the police has often misused existing laws, such as the Public Order and Security Act (POSA) to ban lawful public meetings and gatherings;
- H. whereas the Zimbabwe’s record with regard to human rights, and democracy is one of the poorest in the world, and harassment and abuses against human rights defenders, journalists and members of civil society constantly reported;
- I. whereas on 9 March 2015, Itai Dzamara, a prominent Zimbabwean human rights activist, was abducted by armed men; whereas suspicion arose as to the responsibility of the State in his disappearance; whereas in spite of international pressure, including the adoption of a resolution by the European Parliament in May 2015, no progress has been made in this case;
- J. whereas according to the World Food Programme, 4 million Zimbabweans are currently in need of food assistance due to the severe drought that is affecting the country; whereas on 7 September 2016, a member of the Zimbabwe Human Rights Commission recently accused the government of deliberately depriving opposition members of vital assistance and exercising discrimination in the distribution of food;
- K. whereas Zimbabwe is a signatory to the Cotonou Agreement, Article 96 of which stipulates that respect for human rights and fundamental freedoms is an essential element of ACP-EU cooperation;

- L. whereas in February 2015 the EU resumed its aid to Zimbabwe, namely 234 million euros National Indicative Programme aimed at helping Zimbabwe become a more democratic and prosperous country, and the European Council decided to uphold some of the sanctions on Zimbabwe; whereas an EU arms embargo also remains in effect;
1. Deplores the violent events that occurred during the recent protests in Zimbabwe; firmly believes that peaceful protest is part of a democratic process and that excessive force in response should be avoided in all circumstances;
 2. Urges the Zimbabwean authorities to promptly and impartially investigate all allegations of excessive use of force by police and state officials and hold them accountable;
 3. Believes that freedom of assembly, association and expression are essential components of any democracy and calls on the Zimbabwean government to comply with the Harare High Court decision and immediately suspend the ban on all public demonstration;
 4. Is deeply concerned by reports of human rights organisations of increasing political violence, as well as the severe restrictions and intimidations faced by human rights defenders; regrets that since the last elections, and the adoption of the new Constitution in 2013, little progress has been made with regard to the rule of law and in particular towards reforming the human rights environment;
 5. Calls on the Zimbabwean authorities to immediately and unconditionally release all political prisoners;
 6. Reiterates its strong condemnation of the forced disappearance of human rights defender Itai Dzamara; calls for his immediate and unconditional release and urges the government of Zimbabwe to take all necessary measures to find Mr Dzamara and bring all those responsible to justice;
 7. Recalls the overall responsibility of the Zimbabwean Government of ensuring the safety of all its citizens; urges the Zimbabwean government and President Mugabe to comply with its international obligations and the provisions of the international treaties that have been signed by Zimbabwe and that guarantee the respect of the rule of law and the fulfilment of civil and political rights;
 8. Deeply condemns the discrimination and exclusion of certain citizens in the distribution on food based on political consideration;
 9. Recalls that under the Global Political Agreement (GPA), Zimbabwe committed to ensuring that both its legislation and its procedures and practices are in accordance with international human rights principles and laws, including the freedom of assembly, association and expression;
 10. Calls for concerted action by the international community, in particular the Southern African Development Community (SADC); considers that this regional organisation has an important role to play as guarantor to the GPA, insisting inter alia on the implementation of the agreement and in particular Article 13 thereof to ensure non-partisan action by the police and other security forces;

11. Welcomes the one-year extension of targeted measures against the President and his wife, as a response to the political and human rights situation in Zimbabwe;
12. Asks the EU to step up its political dialogue on human rights on the basis of Article 8 of the Cotonou Agreement;
13. Calls on the EU delegation in Harare to continue to offer its assistance to Zimbabwe in order to improve the human rights situation;
14. Instructs its President to forward this Resolution to the Commission, the Council, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the EEAS, the Government and the Parliament of Zimbabwe, the governments of the South African Development Community and the African Union.