Madagascar

European Parliament resolution of 9 June 2011 on the situation in Madagascar

The European Parliament,

– having regard to Articles 8 and 9 of the Cotonou Agreement, concerning political dialogue and respect for human rights respectively,

– having regard to its previous resolutions on Madagascar, particularly those of 7 May 2009\(^1\) and 11 February 2010\(^2\), and the ACP-EU Joint Parliamentary Assembly fact-finding mission to Madagascar of 10-11 July 2010,

– having regard to the statement of 19 November 2010 by the EU High Representative Catherine Ashton,

– having regard to the Swaziland Communiqué of 30 March 2009 and to the Livingstone decision of 31 March 2011 which, in paragraph 6, states that the solution in Madagascar needs to be democratic, consensual, inclusive and transparent,

– having regard to the Maputo Accords of 8 and 9 August 2009 and the Addis Ababa Additional Act of 6 November 2009, signed by the four leaders of the political groupings in Madagascar, these Accords having constitutional value as expressly agreed by the stakeholders and recognised by the international community,

– having regard to the suspension of Madagascar from the Southern African Development Community (SADC) and the African Union (AU),

– having regard to the sanctions decided by the African Union on 17 March 2010 and confirmed on 31 January 2011 against Mr Rajoelina and more than a hundred of his allies,

– having regard to the recent roadmap proposed by the mediation team of the SADC,

– having regard to the SADC Extraordinary Summit on Madagascar of 20 May 2011,

– having regard to Rule 122(5) of its Rules of Procedure,

A. whereas the persistent political instability which has prevailed since the coup d'état has placed Madagascar in a precarious position from the socioeconomic, humanitarian and human rights points of view,

B. having regard to the commitments given at Maputo and Addis Ababa concerning power-sharing with the other political movements in Madagascar; whereas these accords also comprise a Charter of Values based on respect for fundamental principles and promotion, during the transition period, of non-violence, reconciliation and mutual respect,

\(^1\) Texts adopted, P6_TA(2009)0392.

C. whereas the present regime disrespects constitutional, democratic and fundamental rights enshrined in the Cotonou Agreement and international agreements,

D. whereas an open and independent inquiry into the deaths and excessive use of force during the demonstrations in 2009 needs to be started,

E. whereas the present illegal regime is monopolising executive, legislative and judicial powers and the media,

F. whereas the current process of negotiations under international mediation must continue in an inclusive manner,

G. whereas on 17 November 2010 the de facto authority organised an unfair constitutional referendum duly boycotted by the opposition and generally ignored by the international community which led to the adoption of a so-called new Constitution,

H. whereas on Monday, 6 July 2009 the European Union initiated a consultation process with Madagascar pursuant to Article 96 of the Cotonou Agreement, thus launching a dialogue intended to find appropriate solutions to the country's political problems,

I. whereas on 7 June 2010 the European Union decided to close the consultations with the Republic of Madagascar and adopted appropriate measures under Article 96 of the Cotonou Agreement – in this case suspension of aid,

J. whereas the aforementioned manifest assaults on democracy also led to the suspension of aid from the IMF and World Bank, suspension of the benefits of the AGOA (African Growth and Opportunity Act) and the imposition of targeted sanctions by the African Union,

K. whereas on 17 May 2011 the Co-Presidents of the ACP-EU Joint Parliamentary Assembly called for the establishment of a neutral, consensual and inclusive transitional government with a mission to launch a transparent and independent electoral process leading towards democratic elections monitored by the international community, as a first step towards a sustainable return to constitutional order,

L. whereas the population has less than USD 1 per day at its disposal and the income available to households makes it difficult for them to obtain basic foodstuffs, water, hygiene services, health and education; whereas the situation has deteriorated considerably since the beginning of the political crisis and on account of the drought and the numerous natural disasters which have struck the country in the past two years,

1. Reiterates its strong condemnation of the process by which Mr Rajoelina seized power and is maintaining his illegal and illegitimate regime, and remains concerned about the current situation in Madagascar;

2. Condemns the many human rights violations and abuses by the current Malagasy security forces against their own population and calls for the dissolution of all political militia, for full respect for the civil, political, social and economic rights of all citizens and the restoration of the rule of law in Madagascar; calls for the immediate release of all political prisoners; calls for a safe return of exiles and political leaders;
3. Calls for the independent investigation of these acts, the aim of which should be to bring the perpetrators of human rights violations to justice;

4. Expresses its deepening alarm at the continuing illegal looting and export of precious timber, minerals and wildlife from national parks and protected areas, and the increasing threats to community management of biodiversity owing to the breakdown of order, and supports conservation groups and civil society in their continuing efforts to prevent the slide into environmental destitution and social disorder;

5. Regrets the failure of the Gaborone negotiations and calls for a satisfying exit strategy from the current deadlock situation in order to install a truly neutral, consensual and inclusive transitional government; takes note of the observations and recommendations made in the report to the Extraordinary Summit of the SADC; urges the next SADC Summit on 11 June to definitively put an end to the political deadlock and aim to serve the interests of the Madagascan people; urges all parties involved under the terms of the accords which have been signed to respect their commitments;

6. Stresses the urgent need for a return to constitutional order, which is a condition for the return to institutional normality in Madagascar, and urges a rapid move towards free, open and transparent elections which comply with democratic standards under the supervision of the international community;

7. Stresses that credibility, including the lawfulness of the electoral process, implies that all political movements and leaders can take part in these elections freely and unconditionally and have unimpaired access to the media;

8. Does not accept that the authorities which took power in an unconstitutional manner have the legitimacy to organise elections;

9. Recalls the decision announced by Mr Rajoelina not to stand in the future presidential elections;

10. Stresses the need and capacity of the Madagascan people to choose their future and exercise self-determination without any condition;

11. Stresses that the African Union confirmed, at its Summit on 31 January 2011, individual and selective sanctions agreed at the summit on 17 March 2010 against Mr Rajoelina and over a hundred other people who support the High Authority of the Transitional Government;

12. Calls on the European Union and the UN Security Council to continue to impose and extend sanctions on the regime until the political crisis is resolved according to the above considerations and in particular to extend to all their member countries the visa bans instituted by the African Union;

13. Stresses that Mr Rajoelina's government is not recognised either by the EU or by any member country of the International Contact Group-Madagascar;

14. Supports the current efforts of the SADC and calls on the AU, the SADC and the international contact group to bring the transition process to a satisfactory conclusion;
15. Fully supports the EU's appropriate measures taken on 7 June 2010 after the conclusion of the consultation procedure under Article 96 of the Cotonou Agreement;

16. Urges the international community and the European Union to increase their humanitarian aid to the people of Madagascar; recalls that the gradual restoration of cooperation programmes with Madagascar is conditional on full respect for all democratic principles and fundamental freedoms;

17. Instructs its President to forward this resolution to the Vice-President/High Representative of the EU for Foreign Affairs and Security Policy, the Commission, the Council of the European Union, the ACP-EU Council, the Secretary-General of the United Nations, the SADC, President Joaquim Chissano and the Commission of the African Union.