

# ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU 100.439/08/fin

## RESOLUTION<sup>1</sup>

### on the situation in Zimbabwe

*The ACP-EU Joint Parliamentary Assembly,*

- meeting in Port Moresby (Papua New Guinea) from 25 to 28 November 2008,
- having regard to Article 17(2) of its Rules of Procedure,
- having regard to the report of 29 March 2008 of the Pan-African Parliament Election Observer Mission on the harmonised elections in the Republic of Zimbabwe,
- having regard to the preliminary statement of 29 June 2008 of the Pan-African Parliament Election Observer Mission on the Zimbabwe presidential run-off and House of Assembly by-elections,
- having regard to the interim statement of 30 June 2008 of the Pan-African Parliament Election Observer Mission to the presidential run-off and parliamentary by-elections in Zimbabwe,
- having regard to the preliminary statement of 29 June 2008 of the African Union (AU) Observer Mission to Zimbabwe,
- having regard to the resolution on the establishment of a government of national unity in Zimbabwe adopted at the African Union Summit of 1 July 2008 in Sharm el-Sheikh,
- having regard to the Principles and Guidelines Governing Democratic Elections adopted by the Southern African Development Community (SADC) Parliamentary Forum in 2001 and the Principles and Guidelines Governing Democratic Elections adopted by the SADC Summit in Mauritius in August 2004,
- having regard to the agreement of 15 September 2008 between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) formations, on resolving the challenges facing Zimbabwe,
- having regard to the SADC Treaty and the Protocols thereto, including the SADC Electoral Protocol,

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<sup>1</sup> Adopted by the ACP-EU Joint Parliamentary Assembly on 28 November 2008 in Port Moresby (Papua New Guinea).

- having regard to the Constitutive Act of the African Union, the African Charter on Human and Peoples' Rights and the New Partnership for Africa's Development (NEPAD),
- A. whereas the run-up to the presidential, parliamentary (lower house) and senatorial elections in March 2008, as well as the run-off elections in June, took place in an inadmissible context of violence and violations of the rights of the opposition perpetrated by elements in the Zimbabwean army and militias deployed by Mugabe's party, ZANU-PF,
- B. whereas the arrest, during the run-off election campaign, of Tandai Biti, Secretary-General of the opposition party, the MDC, and the attempted murder of that party's leader, Morgan Tsvangirai, who was standing against Robert Mugabe and was forced to take refuge in a European embassy and then leave the country, obliged Mr Tsvangirai to withdraw from the presidential run-off,
- C. whereas, in spite of the pressure and intimidation of all kinds exerted on the population, Morgan Tsvangirai gained a large majority in the first round of the presidential elections, and whereas the MDC also won the parliamentary (lower house) elections and the elections for speaker of parliament,
- D. whereas, on the basis of the official results of the run-off elections of 27 June 2008, the incumbent president, Robert Mugabe, was re-elected, following the withdrawal of Morgan Tsvangirai,
- E. whereas a large number of African observer missions (Economic Community of West African States, Pan-African Parliament, African Union) stated that, as a result of the violence, the election results failed to reflect the will of the people,
- F. whereas the political agreement of 15 September 2008 on the principle of forming a government of national unity with a view to ending the crisis is a step forward, achieved through the mediation of President Thabo Mbeki,
- G. having regard to the continuing deadlock in the negotiations between the two sides on a government of national unity,
- H. whereas the disastrous conduct of these elections has exacerbated the already catastrophic humanitarian situation of Zimbabwe's population, forcing people to move away from their homes or leave the country,
- I. whereas the country is facing a cholera outbreak, with a virtually collapsed health system and a broken water supply; whereas life expectancy has dropped from 60 years for both sexes to 37 years for men and 34 for women in the past decade; and whereas 1.7 million people are now living with HIV in Zimbabwe,
- J. whereas the World Food Programme (WFP) fed 2 million Zimbabweans in October, but that figure is expected to rise to 5.1 million by early 2009, meaning that half of the country's population will soon be aid-reliant,
- K. whereas, according to UNICEF, only an estimated 40 per cent of the country's teachers are attending lessons, with only a third of pupils reporting for classes,

- L. noting with concern the regrettable denial of entry to Zimbabwe to a delegation consisting of former US President Jimmy Carter, former UN Secretary-General Kofi Annan and human rights activist Graça Machel,
1. Firmly condemns the campaigns of violence and intimidation conducted against the population with the aim of influencing the voting in the 2008 elections, as well as the violations of the rights of the opposition;
  2. Declares that, in the light of such flagrant violations, the Zimbabwean elections held in June 2008 cannot be deemed to have been transparent, credible and fair;
  3. Welcomes the African mediation efforts led by President Thabo Mbeki, and urgently calls for increased engagement of African countries and regional institutions such as the SADC and the AU, as well as eminent African personalities, in negotiating, and subsequently monitoring, a solution to the Zimbabwean situation;
  4. Confirms that a government of national unity is a solution for ending the crisis for a transitional period permitting reform of the institutions and restoration of the rule of law; stresses that, in the power-sharing deal of 15 September 2008, the parties agreed to work together for a sustainable and lasting democratic and peaceful solution to Zimbabwe's current political, economic and social crisis;
  5. Urges all parties to the agreement to live up to their commitments and to engage constructively and fully in the implementation of the agreement and show greater restraint and moderation in the negotiations; stresses that all parties are equal and should refrain from taking any unilateral action in connection with the formation of a new government;
  6. Strongly appeals to the international community to ensure the rapid provision of substantial humanitarian aid to the people of Zimbabwe;
  7. Notes the devastating impact that the political crisis is having on the people of Zimbabwe; notes that the EU has just released EUR 10 million in aid and calls on the Zimbabwean authorities to lift all restrictions on humanitarian aid agencies and to ensure that humanitarian aid can be delivered in accordance with the principles of humanity, neutrality, impartiality and independence;
  8. Expresses deep concern about the situation of Zimbabwean refugees in the region and deplores the acts of violence against Zimbabwean refugees in surrounding countries; calls on the European Commission to support the neighbouring countries with financial and material assistance programmes for the refugees;
  9. Strongly appeals to all stakeholders and the international community to be prepared to ensure the rapid provision of aid for the post-conflict reconstruction of Zimbabwe;
  10. Deeply regrets that the Elders Humanitarian Delegation comprising former UN Secretary-General Kofi Annan, former US President Jimmy Carter and advocate for women's and children's rights Graça Machel was denied an entry visa by Mugabe's regime, since they wished to use their influence to increase the immediate and longer-term flow of assistance to the country to stop the terrible suffering of the people of Zimbabwe; strongly supports the Elders' continuing efforts to ease Zimbabwe's humanitarian crisis;

11. Calls on the future government of national unity to set up a neutral and independent peace and reconciliation commission with a view to promoting a national healing process that will review the crimes against humanity, torture, rape and other crimes committed in internal conflicts;
12. Believes it essential that the newly-elected parliament receive funding and support in order to reinforce its capacity;
13. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Pan-African Parliament, the government and parliament of Zimbabwe, the African Union, the SADC and the UN Secretary-General.