

ACP-EU JOINT PARLIAMENTARY ASSEMBLY

ACP-EU/100.624/09/fin.

RESOLUTION¹

on the situation in Madagascar

The ACP-EU Joint Parliamentary Assembly,

- meeting in Luanda (Angola) from 30 November to 3 December 2009,
 - having regard to Article 17(2) of its Rules of Procedure,
 - having regard to the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 and revised in Luxembourg on 25 June 2005,
 - having regard to the declaration by the Commission of the African Union,
 - having regard to the declaration of 31 March 2009 by the ACP Committee of Ambassadors on the situation in Madagascar,
 - having regard to the resolution on the political situation in Madagascar, adopted by the ACP Parliamentary Assembly on 10 February 2009,
 - having regard to the work by the International Contact Group on Madagascar, and in particular the Maputo and Addis Ababa agreements concluded on 9 August 2009 and 6 November 2009 respectively,
 - having regard to the European Parliament resolution² of 7 May 2009 on the situation in Madagascar,
 - having regard to the statement of 10 November 2009 by the Secretary-General of the International Organisation of French-Speaking Countries (OIF) on the situation in Madagascar,
- A. whereas Mr Andry Rajoelina, the mayor of the capital Antananarivo, became the head of the High Transitional Authority on 17 March 2009, when the military handed over the executive power that it had seized from former President Marc Ravalomanana, who was forced to resign and go into exile,
- B. whereas Mr Rajoelina, having suspended the National Assembly and the Senate, proclaimed himself President of the Republic and head of the High Authority of Transition,
- C. noting the numerous protest demonstrations, which have been forcibly quelled by the army,
- D. noting that these events have been condemned by the international community and in particular the United Nations Security Council, the African Union (AU), the Southern African Development Community (SADC), the OIF, the Interparliamentary Union, the European Union, the United States of America and Norway,

¹ Adopted by the ACP-EU Joint Parliamentary Assembly on 3 December 2009 in Luanda (Angola).

² P6_TA-PROV(2009)0392. Not yet published in the *Official Journal*.

- E. whereas the AU and SADC have not recognised Mr Rajoelina's authority and have suspended Madagascar from both organisations' membership,
- F. whereas on Monday 6 July 2009 the European Union initiated a consultation process with the Republic of Madagascar under Article 96 of the Cotonou Agreement, thereby opening a dialogue to explore means of finding appropriate solutions to the country's political problems,
- G. whereas the European Union suspended funding to Madagascar, apart from humanitarian assistance and certain programmes and projects of direct benefit to the population, until it is satisfied that the road map to return to constitutional order is credible and based on consensual participation by everyone,
- H. whereas the international community's efforts to support the local parties in seeking an inclusive solution to the crisis and the rapid re-establishment of constitutional order in Madagascar are being thwarted by intransigence on the part of Mr Rajoelina – who is apparently a hostage of his own faction – and by the demands of the exiled President, Mr Ravalomanana, who is displaying an unhelpful lack of realism,
- I. whereas Madagascar's political situation is penalising it in economic terms and national economic recovery is contingent on political stability,
 - 1. Vigorously condemns the seizure of power in Madagascar, in flagrant breach of the national Constitution, and the decision to entrust the Presidency of the Republic to Mr Rajoelina, which amounts to nothing less than a coup d'état;
 - 2. Calls for a return to constitutional republican order, to be achieved by the Malagasy parties to the dispute agreeing on, and diligently implementing, an inclusive solution to the crisis;
 - 3. Calls on the four political groupings involved to work tirelessly, as they undertook to do in Maputo and Addis Ababa, to reach consensus on the sharing of positions of responsibility and government posts so that transition can take place in accordance with the Addis Ababa timetable;
 - 4. Insists that the Malagasy Parliament must be reinstated immediately and involved in the efforts to resolve the crisis;
 - 5. Believes that political pluralism, basic democratic freedoms, respect for human rights and rule of law can only be ensured as a result of consensual and inclusive dialogue which addresses the root causes of the country's wide range of problems: economic, social, political and environmental;
 - 6. Hails what was achieved by the International Contact Group involving the UN, the AU, the EU and numerous regional organisations – the Common Market for Eastern and Southern Africa (COMESA), the Indian Ocean Commission (IOC) and SADC – at the mediation meetings in Maputo and Addis Ababa and encourages it to press ahead with its efforts to normalise the situation;
 - 7. Calls for an international independent investigation with the task of shedding light on the human rights violations and the series of acts of repression against the population;

8. Asks the international community to increase humanitarian assistance to the Malagasy people; calls on the international community and the EU to gradually resume aid to Madagascar, as soon as the transitional institutions of the government of national unity are in place, and calls for full respect for all democratic principles and fundamental freedoms;
9. Calls on any interim government of Madagascar not to finalise any agreement or contract with other countries or enterprises concerning its natural resources and national assets before the elections are held and a new government has received a legitimate mandate from the Malagasy population;
10. Welcomes the principled stance thus adopted by the international community in opposing any attempt to take power by unconstitutional means; and expresses particular satisfaction at the UN General Assembly's refusal to give Mr Rajoelina a hearing;
11. Calls on all political actors to put at the top of their agenda the fight against poverty, aiming to improve the standard of living of the population by putting in place a sound sustainable development policy, in particular basic healthcare services, education and job creation;
12. Undertakes to carry out a fact-finding mission on implementation of the Maputo and Addis Ababa agreements and calls for an international election observation mission at the appropriate time, in which it is willing to take part;
13. Calls for the immediate release of all political prisoners and the cancellation of the judicial proceedings against them;
14. Calls on the African Union, the International Contact Group and Malagasy political players to consider the possibility of putting in place a monitoring and support body, with a view to ensuring respect for the commitments made in Maputo and Addis Ababa and bringing the transition process to a successful conclusion;
15. Calls for individual sanctions, in the event of failure to respect the undertakings given in Maputo and Addis Ababa;
16. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the European Commission, the Secretary-General of the United Nations, the SADC, President Joaquim Chissano and the Commission of the African Union.