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B7-0442/2010

## MOTION FOR A RESOLUTION

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

pursuant to Rule 122 of the Rules of Procedure

on Zimbabwe, in particular the case of Farai Maguwu

**Alain Cadec, Michael Gahler, Mario Mauro, Cristian Dan Preda, Filip Kaczmarek, Bernd Posselt, Lena Kolarska-Bobińska, Eija-Riitta Korhola, Tunne Kelam, Thomas Mann, Monica Luisa Macovei, Sari Essayah, Csaba Sógor**

on behalf of the PPE Group

**European Parliament resolution on Zimbabwe, in particular the case of Farai Maguwu**

*The European Parliament,*

- having regard to its previous resolutions on the situations of human rights violations and abuses in Zimbabwe,
  - having regard to the EU-ACP Cotonou Partnership Agreement signed June 2000,
  - having regard to the African Charter of human and Peoples' Rights of which Zimbabwe is a full member,
  - having regard to the agreement that created the unity government in February 2008,
  - having regard to the EU common position and the following Council decision 2010/92/CFSP of February 2010 extending restrictive measures against Zimbabwe,
  - having regard to the Joint Declaration by the African Union and the EU High Representative, Catherine Ashton, on 26 June, the United Nations International day in support of victims of torture,
  - having regard to the seventh plenary session of the Kimberley process Certification scheme (KPCS) held at Swakopmund, Namibia, November 2009, in particular articles 13,14 and 22,
  - having regard to the Intersessional meeting of the Kimberley Process (KP) held in Tel-Aviv, Israel, 24 June 2010,
  - having regard to the numerous reports of International Human Rights Organisations concerning human rights abuses in Zimbabwe,
  - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas in Swakopmund - Namibia, November 2009, Zimbabwe committed to undertake a series of actions to bring diamond mining in Marange in compliance with the system of certification of the Kimberley Process, which requires its members to certify that the selling of raw diamonds does not finance armed conflicts,
- B. whereas a recent visit of the KP Monitor reported some progress in the implementation of the Swakopmund decision and Joint Work Plan (JWP), but noted remaining indications of non-compliance that question whether Zimbabwe is meeting the requirements of the Kimberley Certification Scheme,
- C. whereas the Intersession meeting of the Kimberley Process held in Tel Aviv from 21 June to 23 June 2010 could not reach consensus regarding the implementation of the JWP and the work carried out by the KP Monitor to Marange and was clouded by the concerns of the arrest of Farai Maguwu by the Zimbabwean authorities three weeks earlier and the

reports of his physical condition,

- D. whereas on 3 June 2010, Farai Maguwu was arrested by the Zimbabwean state authorities, issued with charges of publishing information which is prejudicial to the Zimbabwean state,
  - E. whereas Farai Maguwu, a Zimbabwean citizen, is the founder and Head of the Centre for Research and Development (CRD), a non governmental organisation based in Mutare and has denounced Human Rights violations in several diamond fields in Zimbabwe, notably in Marange,
  - F. whereas recognised both local and international human rights groups have documented, with extensive video footage and witness statements, the appalling human rights abuses by Zimbabwe soldiers and police in Marange diamond area,
  - G. whereas Farai Maguwu is now in detention in unknown conditions since 3 June 2010, waiting for trial but deprived of his personal rights including the right to a bail,
  - H. whereas the exercise to constitutional outreach is already overshadowed by violence and intimidation in places where political violence has persisted over a period of ten years,
1. Asks for the immediate and unconditional release of Farai Maguwu and condemns the conditions of his arrest and detention;
  2. Concerned that the arrest of Farai Maguwu in Zimbabwe following the meeting with the Kimberley Process Monitor overshadowed the meeting in Tel-Aviv and calls for Zimbabwe to confirm its commitment to the role of civil society in the Kimberley Process
  3. Calls for a firm commitment from the Zimbabwean authorities to the Kimberley Process and urges them to pursue vigorously all necessary action to bring all mining operations in the Marange fields into full compliance with Kimberley Process requirements;
  4. Calls for Zimbabwe to guarantee the respect of Human Rights and fundamental rights on its territory, so that civil society can freely express its opinions without fear of persecution and that Zimbabwean citizens enjoy political rights and fundamental freedoms they are entitled to under the UN convention on Human Rights;
  5. Urges Zimbabwean authorities to ensure the restoration of the dignity and humanity of person, respect for the rule of law and stop interfering with the constitutional outreaching process that intends to arrive at constructive consultations for a new national constitution;
  6. Emphasizes the importance of dialogue between the European Union and Zimbabwe and welcomes the encouraging progress that has been made in this direction;
  7. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and candidate countries, High Representative of the Union for Foreign and Security Policy, the Government and Parliament of Zimbabwe, the Co-Presidents of the EU-ACP Joint Parliamentary Assembly, the African Union institutions, the UN General Secretariat, the Secretary General of the SADC, the

Chairman of the Kimberley Process and the Secretary General of the Commonwealth.