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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, notably the case of Farai Maguwu

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on behalf of the ECR Group

European Parliament resolution on Zimbabwe, notably the case of Farai Maguwu

The European Parliament,

- having regard to its numerous previous resolutions on Zimbabwe, most recently that of 17 December 2008,
 - having regard to Council Common Position 2010/92/CFSP of 15 February 2010 renewing until 20 February 2011 the restrictive measures against Zimbabwe imposed under Common Position 2004/161/CFSP, and to Commission Regulation 1226/2008 of 8 December 2008, amending the Common Position,
 - having regard to the Foreign Affairs Council Conclusions of 22.2.2010 on Zimbabwe, and to the Conclusions of the 10th EU-South Africa ministerial political dialogue of 11.5.2010 on Zimbabwe,
 - having regard to previous UN resolutions on blood diamonds, and in particular UN Security Council resolution 1459 on the Kimberley Process,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. Whereas Zimbabwe's government of national unity (GNU) has made some progress since the signing of the Global Political Agreement (GPA) in February 2009, the failure properly to restore democracy, freedom of expression, the rule of law and respect for human rights, and the continuation of politically motivated violence, often by state security forces, are continuing cause for very serious concern,
- B. Whereas Zimbabwe remains impoverished after years of economic mismanagement by the Mugabe regime and continues to receive extensive humanitarian and other aid both from the EU and from the UK, the Netherlands, Germany, France, and Denmark, as well as the US, Australia and Norway, along with food aid from the UN, all of which provides for the most basic needs of a large proportion of the Zimbabwean population,
- C. Whereas Zimbabwe is a voluntary member of the Kimberley Process Certification Scheme, which enables members to sell their uncut diamonds on the legitimate international market provided that their trade is not consequential on, or contributing to, human rights abuse,
- D. Whereas industry experts estimate that Zimbabwe could become one of the largest diamond producers in the world within the next few years, should the Marange (Chiadzwa) diamond field in Manicaland province be fully developed, potentially generating billions of Euros in revenue,
- E. Whereas numerous international NGOs (Human Rights Watch, Global Witness and Partnership for Africa-Canada) have raised serious concerns about the human rights

situation in Chiadzwa in particular relating to human rights abuses by members of the Zimbabwean security services, which would breach Zimbabwe's Kimberley Process obligations,

- F. Whereas Farai Maguwu, a Zimbabwean citizen and founder/director of the Centre for Research and Development (CRD), a human rights NGO based in Manicaland, has identified serious human rights violations by the Zimbabwean state security services in several Zimbabwean diamond fields, most notably in Chiadzwa; and whereas he was arrested by the Zimbabwean authorities on 3 June 2010 on charges of publishing information prejudicial to the Zimbabwean state and has since been detained in poor conditions and denied the right to have his case heard by a judge within 48 hours of arrest,
1. Demands the immediate and unconditional release of Farai Maguwu and condemns the conditions of his arrest and detention;
 2. Insists that the Zimbabwean authorities honour their Kimberley Process obligations, fully demilitarise the Marange diamond fields, and institute proper measures to maintain law and order in a way which is respectful of the rights of the local people;
 3. Applauds the EU and those Member States and other countries that continue to provide funding for projects in direct support of the Zimbabwean people and the reforms contained in the Global Political Agreement, emphasising the need to ensure that such support continues to be channelled through bona fide NGOs, is well targeted and properly accounted for, avoiding government agency;
 4. Insists that the Zimbabwe government uses the substantial revenue that diamond mining in Chiadzwa is likely to generate as the basis for the regeneration of the Zimbabwean economy as a whole, and as a means of providing the health, education and social funding currently provided by international donors, and to that end urges the government to establish a sovereign Diamond Trust Fund that would be independent from direct state interference;
 5. Calls on the Zimbabwean government to guarantee and uphold the unrestricted right to free speech in Zimbabwe, so that NGOs (such as Farai Maguwu's Centre for Research and Development) can freely express opinions without fear of persecution or imprisonment;
 6. Calls on the Zimbabwean government, as part of the ongoing constitutional reform process which has been substantially funded by the EU and certain Member States, to ensure that the right to free speech is enshrined in the new constitution, with the case of Farai Maguwu demonstrating that much still remains to be done;
 7. Calls on South Africa and SADC, in its own interests as well as those of Zimbabwe and the wider southern African region, to take active steps to encourage a return to full democracy, respect for the rule of law and for the human rights of the people of Zimbabwe; recognises that Mugabe and his close supporters remain a continuing stumbling block in the process of political and economic reconstruction and reconciliation in Zimbabwe, plundering its economic resources for their own benefit;

8. Urges the Council and the Commission to call on SADC and the government of South Africa to take concrete action to ensure that sustainable political progress is made in Zimbabwe, and to urge SADC and the government of South Africa to enforce recent rulings by the SADC tribunal on illegal farm invasions by Mugabe and his close supporters;
9. Welcomes the recent renewal (February 2010) of the EU's list of banned individuals and entities with links to the Mugabe regime; emphasises that these restrictive measures are aimed solely at the Zimbabwean kleptocracy and will in no way impact on the Zimbabwean people as a whole;

Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments of the G8 countries, the government of Israel (in its capacity as the 2010 chair of the Kimberley Process), the governments and parliaments of Zimbabwe and South Africa, the Secretary-General of the Commonwealth, the Secretary-General of the United Nations, the Chairmen of the Commission and Executive Council of the African Union, the Pan-African Parliament, and the Secretary-General and governments of the Southern African Development Community and its Parliamentary Forum.