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Plenary sitting

14.1.2013

B7-0026/2013

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 110(2) of the Rules of Procedure

on the implementation of the Interim Economic Partnership Agreement (IEPA) between the European Community and the Eastern and Southern Africa States, in the light of the current situation in Zimbabwe (2013/2515(RSP))

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United in diversity

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B7-0026/2013

European Parliament resolution on the implementation of the Interim Economic Partnership Agreement (IEPA) between the European Community and the Eastern and Southern Africa States, in the light of the current situation in Zimbabwe (2013/2515(RSP))

The European Parliament,

- having regard to the Council Decision of 13 July 2009 on the signing and provisional application of the Interim Agreement establishing a framework for an Economic Partnership Agreement between the Eastern and Southern Africa States, on the one part, and the European Community and its Member States, on the other part (2012/196/EC)¹,
- having regard to the Cotonou Agreement, signed in June 2000, in particular Articles 96 and 97 thereof on respect for human rights,
- having regard to Article 21 of the TEU and Article 208 of the TFEU, obliging the EU to respect policy coherence, including in its external action, development and trade policies,
- having regard to its numerous previous resolutions on Zimbabwe,
- having regard to its resolution of 5 February 2009 on the development impact of Economic Partnership Agreements (EPAs)²,
- having regard to the recommendation of its Committee on International Trade, of 18 December 2012 (A7-0431/2012),
- having regard to the opinion of its Committee on Development, of 6 December 2012 (A7-0431/2012),
- having regard to its resolution of 15 December 2010 on the future of the EU-Africa strategic partnership following the 3rd EU-Africa Summit³,
- having regard to the Universal Declaration of Human Rights and other core international human rights instruments, to which Zimbabwe is a State Party,
- having regard to the African Charter on Human and Peoples' Rights, which Zimbabwe has ratified,
- having regard to its numerous resolutions expressing its deepest concern at the situation in Zimbabwe,
- having regard to Rule 110(2) of its Rules of Procedure,

¹ OJ L 111, 24.4.2012, p. 1.

² OJ C 67 E, 18.3.2010, p. 120.

³ OJ C 169 E, 15.6.2012, p. 45.

Economic Partnership Agreements and the Interim Economic Partnership Agreement

- A. whereas Madagascar, Mauritius, the Seychelles and Zimbabwe are signatories to the Cotonou Agreement; whereas respect for human rights is an essential element of the development cooperation agreement between the EU and the ACP countries;
- B. whereas, although Madagascar and Zimbabwe have been under sanctions for human rights violations, the EU is pushing for the signing of a trade liberalisation agreement with these countries, despite the fact that it refused to ratify both the Partnership and Cooperation Agreement (PCA) and the Interim Agreement concluded with Belarus in 1995;
- C. whereas Madagascar, Mauritius, the Seychelles and Zimbabwe have provisionally applied the Interim Agreement since May 2012; whereas this is the first Interim Economic Partnership Agreement (IEPA) with an African region to enter into force since negotiations on Economic Partnership Agreements began in 2002;
- D. whereas the Commission regards this Interim Economic Partnership Agreement as a stepping stone towards a full EPA, which will remain open to other countries willing to join at a later stage;
- E. whereas the original Eastern and Southern Africa (ESA) group which launched the negotiations on the Economic Partnership Agreements with the European Union on 7 February 2004 comprised 16 countries, which include Indian Ocean Islands (Comoros, Madagascar, Mauritius and the Seychelles), Horn of Africa countries (Djibouti, Ethiopia, Eritrea and Sudan), the East African Community (EAC) members (Burundi, Kenya, Rwanda, Tanzania and Uganda) and Southern African countries (Malawi, Zambia and Zimbabwe); whereas only six of these 16 countries have initialled the 'ESA' interim EPA, of which two have decided not to sign (Zambia and Comoros), two have notified provisional implementation (Mauritius and Madagascar) and only two have ratified (Zimbabwe and Seychelles);
- F. whereas the ACP countries have repeatedly expressed concern since 2007 over several provisions in the interim EPAs that do not serve their development needs; whereas the negotiations of the past five years have, to a large extent, been devoted to finding an improved formulation for these provisions; whereas some improvements have been agreed but have not been inserted into the interim EPA, as the Commission has refused to amend them; whereas the ESA interim EPA presented to Parliament is therefore still the unamended version containing the unsatisfactory and contested provisions;
- G. whereas the ESA interim EPA does not contain a chapter on sustainable development;
- H. whereas the Seychelles and Mauritius are expected to liberalise and remove a total of over 95 %, and Zimbabwe 79.9 %, of the tariffs they apply to EU imports; whereas Madagascar was supposed to liberalise 37 % of its tariffs by 1 January and whereas this represents a 42 % loss of fiscal revenue; whereas the Government of Madagascar has called for a five-year moratorium before implementing the Agreement;

- I. whereas, in 2010, total EU imports from the whole ESA group amounted to around EUR 2.88 billion, i.e. 0.2% of all EU imports, including mainly processed tuna, coffee, cane sugar, textiles, tobacco, cut flowers and ferro-alloys;
- J. whereas studies by the United Nations Economic Commission for Africa (UNECA) suggest that the Commission's vision for Economic Partnership Agreements (EPAs) would reduce welfare, undermine regional integration and impede African efforts to industrialise; whereas 75 % of the ESA region's population live in LDCs;
- K. whereas, according to the European Centre for Development Policy Management (ECDPM), there is little coherence between the interim EPAs concluded and the regional integration processes in Africa;
- L. whereas the ratification and provisional application of the interim EPA by the ESA countries will make its replacement by a regional EPA owned by all regional ACP countries more difficult;

Zimbabwe

- M. whereas President Mugabe has ruled Zimbabwe for the past 33 years; whereas a coalition government was formed in 2009, following a power-sharing agreement between ZANU-PF and the MDC (Movement for Democratic Change) in an attempt to resolve the political deadlock resulting from the legislative and presidential elections in 2008;
- N. whereas a constitutional referendum, followed by a general election, are in the air although the exact dates remain to be decided;
- O. whereas, in the absence of key legal reforms, there is a genuine concern that, if elections are held in March 2013, there will be widespread human rights violations ahead of, during and after the elections and such violations will undermine a credible, free and fair vote;
- P. whereas the EU imposed in 2004, and has since renewed, sanctions against this country for its endless threats, acts of harassment, arrests, killings and other forms of violence and human rights violations in conflicts over the past years, stemming from diamond fields;
- Q. whereas, on 5 November 2012, police officers arbitrarily arrested Fidelis Mudimu, Zachariah Gochi and Tafadzwa Geza, senior staff members at the offices of the Counselling Services Unit (CSU), a registered medical clinic in Harare, which provides medical and counselling services to victims of organised crime and torture; whereas the arrested were charged with 'causing malicious damage to property, in contravention of Section 140 of the Criminal Law (Codification and Reform) Act';
- R. whereas, as of November 2012, 56 people are serving death sentences in Zimbabwe;

General remarks

- 1. Calls on the EU to implement policy coherence for development in its all policy areas, including coherence between trade policy and respect for human rights; disapproves the

- EU's policy of signing a trade liberalisation agreement with Zimbabwe and Madagascar despite the fact that these countries are under EU sanctions for human rights violation;
2. Regrets that, despite the introduction of Policy Coherence for Development as a key concept in 2005 and in a number of EU Council conclusions, no concrete measures have so far been taken to make the link between development, respect for human rights and trade;
 3. Strongly opposes the EU's aggressive and continuous push for, and rigid approach in relation to, the conclusion of Economic Partnership Agreements in spite of the justified concerns of many ACP countries and civil society organisations;
 4. Expresses its strongest doubts as to whether the Interim Agreement, provisionally applied since 14 May 2012 by only four (Seychelles, Madagascar, Zimbabwe and Mauritius) out of the 16 countries in the Eastern and Southern Africa region that were originally involved in the negotiations, will serve the purpose of increased regional integration;
 5. Stresses that this Interim Agreement falls short of meeting the development needs of the countries in question; is convinced that this is the case for all Economic Partnership Agreements and the main reason for the relative deadlock in the negotiations;
 6. Stresses that an across-the-board liberalisation (like the Commission's insistence on at least '80 % tariff liberalisation in 15 years') does not make any sense, as economic research demonstrates that a positive effect of trade liberalisation on poverty reduction is not to be taken for granted and that the countries that have benefited most are those that have carried out selective and gradual liberalisation in combination with state support to key sectors;
 7. Points out that the EU must promote fair trade between the itself and developing countries, based on full respect for and a guarantee of ILO labour standards and working conditions, and must ensure the application of the highest possible social and environmental standards; takes the view that this includes paying a fair price for resources and agricultural products from developing countries;
 8. Stresses that the European Union's commitment to achieving the MDGs must take absolute priority when determining the commercial policy approach to developing and least developed countries; stresses that the MDGs can only be achieved if the economic and social asymmetries between the EU and the respective countries are taken into account; believes that a flexible and tailored approach in the interest of workers, small farmers and poor people is therefore of the utmost importance;
 9. Notes with great concern the rigid approach taken by the Commission and the Council in relation to the most contentious issues raised by the ACP countries and the agreed tariff liberalisation for EU imports; insists that a far more flexible approach is needed, reflecting the actual stage of development of the individual developing countries at any given time; urges the Commission, therefore, to refrain from setting fixed timetables for the expiry of the moratorium on tariff elimination and other items;
 10. Supports the ESA countries' proposal for pro-development provisions in the EPAs and

calls, at the very minimum, for least developed countries to be exempted from tariff liberalisation commitments in the EPAs and from making their market access under the EU's Everything But Arms (EBA) scheme contractual;

11. Calls for a revision of the EPA process that involves all stakeholders, including trade union organisations and civil society organisations with expertise in this field, on an equal footing in order to allow a genuinely development-oriented and rights-based economic policy towards ACP countries;

Zimbabwe

12. Expresses its utmost concern at the persistence of human rights violations, including on grounds of sexual orientation, and repression against political opponents of the regime, human rights defenders, women rights campaigners, journalists and NGO workers;
13. Calls on the unity government to introduce changes to repressive laws, such as the Access to Information and Protection of Privacy Act, the Public Order and Security Act and the Criminal Law (Codification and Reform) Act, before holding the general election, as these laws have been used to severely curtail basic rights;
14. Calls on the Government of Zimbabwe to level the political playing field and create a rights-respecting environment before organising elections, which implies amending repressive laws and replacing partisan police chiefs and election officials with impartial professionals;
15. Calls on the Government of Zimbabwe to drop all charges against the senior staff members and health workers at the Harare Counselling Services Unit (CSU), which provides medical and counselling services to victims of organised crime and torture;
16. Reiterates its opposition to the death penalty and calls for the immediate implementation of a moratorium on the death penalty, which would halt all executions as a first step towards abolishing capital punishment altogether;
17. Urges the Government of Zimbabwe to respect the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights and to guarantee transparency and accountability in all sectors of the economy, especially the extractive industries, in which the country's mineral wealth should benefit all Zimbabweans;
18. Instructs its President to forward this resolution to the President of the European Council, the President of the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments of the Member States, the Governments of Madagascar, Mauritius, the Seychelles and Zimbabwe and the ACP Secretariat.