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## MOTION FOR A RESOLUTION

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

pursuant to Rule 122 of the Rules of Procedure

on the detention of human rights activists in Zimbabwe  
(2013/2536(RSP))

**Charles Tannock, Geoffrey Van Orden**  
on behalf of the ECR Group

**European Parliament resolution on the detention of human rights activists in Zimbabwe (2013/2536(RSP))**

*The European Parliament,*

- having regard to its numerous previous resolutions on Zimbabwe, most recently of 17th January 2013 (2013/2515(RSP));
  - having regard to the UN Declaration on Human Rights Defenders (A/RES/53/144);
  - having regard to the African Charter on Human and Peoples' Rights, which Zimbabwe has ratified;
  - having regard to the EU-ACP Cotonou Partnership Agreement, signed on 23 June 2000;
  - having regard to Rule 122(5) of its Rules of Procedure;
- A. whereas on 13th December 2012 the Zimbabwean police detained Mr. Leo Chamahwinya, Education Programs Officer, and Ms. Dorcas Shereni, member and Highfields local chapter chairman of the Zimbabwe Human Rights Association (ZimRights) and pressed charges against them;
- B. whereas on 14th January 2013 the Zimbabwean police detained Okay Machisa, the director of ZimRights and chairman of the Crisis in Zimbabwe Coalition, and pressed charges against him;
- C. whereas on November 5th 2012 the Zimbabwean police raided the office of the Zimbabwean Counselling Services Unit (CSU) and detained staff members without formal charges;
- D. whereas there has been a marked increase in intimidation, arbitrary arrests, and disappearances of political opponents of Robert Mugabe's Zanu-PF in a period that is now seen as the run up to elections, with many MDC members, several MDC MPs, and key members of the MDC leadership, such as Energy Minister Elton Mangoma, co-Home Affairs Minister Theresa Makone and ousted Speaker of the Zimbabwean Parliament Lovemore Moyo, being targeted;
- E. whereas anonymous ZimRights activists have claimed their involvement in perfectly legal voter mobilisation across the country has made them a target of Zanu-PF;
- F. Whereas MDC-T Home Affairs co-minister Theresa Makone stated that the onslaught on civil society was a ploy by Zanu PF to prohibit fresh voter registrations as the former sole ruling party had already registered its supporters and accused Zanu PF of trying to intimidate civic society ahead of elections;

- G. whereas a group of 58 civic organisations in Zimbabwe, including church and legal groups, said in a statement that there was a "well-calculated and intensified" assault on human rights activists, journalists and artists through slander, intimidation, raids, arrests, prosecutions and persecution;
- H. whereas freedom of assembly, association and expression are essential components in any democracy;
- I. whereas under their Global Political Agreement (GPA), Zanu-PF undertook to ensure, with MDC representatives in the coalition "government of national unity"(GNU), that legislation and its implementation would be in accordance with international human rights principles and laws;
- J. whereas in the past two years the GNU has struggled to bring stability to the country and has failed to pave the way for a democratic transition through credible elections, due to deliberate Zanu-PF obstruction;
1. Condemns the conditions of the arrest and detention of Okay Machisa, Leo Chamahwinya and Dorcas Shereni as well as the wider deterioration in the respect for human rights and political freedom by state authorities;;
  2. Calls for an immediate end to all politically motivated harassment, arrests and violence by the Zimbabwean state security services and militias which act as though directly controlled by, or loyal to Zanu-PF; stresses that those responsible for such abuses and violations must be held accountable;
  3. Insists that the Zimbabwean people should be given freedom of expression and of assembly, that all intimidation of politicians and civil society activists (in particular human rights activists) should cease, and that every elected representative, irrespective of political persuasion, as well as NGOs, political activists, the press and ordinary citizens should be able to freely express their opinions without fear of violent persecution, arbitrary imprisonment or torture;
  4. Calls for therefore for immediate and unconditional release of all other human rights and political activists who have been arbitrarily arrested and condemns all conditions of arrest and detention contrary to international human rights conventions;
  5. Is concerned that to date there have been no changes to Zimbabwe's justice system which is widely considered as extremely partisan towards Zanu-PF;
  6. Believes that in order to hold credible, free, and fair elections in 2013, the rights of all Zimbabwe's political parties must be respected and that this requires urgent amendment of repressive laws and removal of partisan security and election officials; furthermore, is concerned that the necessary reforms to Zimbabwe's justice system have not taken place to ensure its political impartiality;

7. Welcomes the announcement that an agreement has been reached between the ruling political parties on a new constitution, underlines however that the experience of the GPA and the recent deterioration in the political and human rights situation raise doubts about its effectiveness;
8. Urges all of Zimbabwe's political parties to fully re-engage with the ongoing constitutional reform process, with a view to having a new Zimbabwean Constitution, acceptable to the people of Zimbabwe, in place prior to the next elections;
9. Acknowledges the establishment of the Zimbabwean Human Rights Commission but is disturbed that it has not been given any significant capacity or independence with which to act independently and fulfil its objectives with regard to the pressing human rights issues facing the country;
10. Urges the Council, Commission and Member States to actively engage with the AU and the SADC, in particular South Africa, so as to ensure that intimidation and violence do not take place in connection with the forthcoming/future elections in Zimbabwe;
11. Calls on the World Bank and the Zimbabwe government to respect the International Centre for the Settlement of Investment Disputes (ICSID) court ruling in April 2009 that granted compensation of EUR22.5 million to Zimbabwean and European farmers, including Timolene Tibbett, who were illegally and often brutally thrown off their land during the Mugabe land reform in 2000 and 2001; believes that settlement of this claim will demonstrate a commitment to international law from the coalition Zimbabwe government and build confidence with international investors that arbitration rulings for investments, no matter how small or large, will be respected;
12. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and candidate countries, the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, the Government and Parliament of Zimbabwe, the Co-Presidents of the EU-ACP Joint Parliamentary Assembly, the African Union institutions including the Pan-African Parliament, the UN Secretary-General, the Secretary General of the SADC, and the Commonwealth Secretary-General;