



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

19.5.2015

B8-0466/2015

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 135 of the Rules of Procedure

on Zimbabwe, the case of human rights defender Itai Dzamara
(2015/2710(RSP))

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on behalf of the EFDD Group

B8-0466/2015

**European Parliament resolution on Zimbabwe, the case of human rights defender Itai Dzamara
(2015/2710(RSP))**

The European Parliament,

- having regard to its resolution of 7 February 2013 on the detention of human rights activists in Zimbabwe,
 - having regard to its resolution of 17 January 2013 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,
 - having regard to its resolution of 7 April 2011 on Zimbabwe,
 - having regard to the statements of the delegation of the European Union to the republic of Zimbabwe "Local EU Statement on the abduction of Itai Dzamara", issued on 9 April and 11 March 2015,
 - having regard to the EU Strategic Framework on Human Rights and Democracy, adopted on 25 June 2012,
 - having regard to the Constitution of Zimbabwe,
 - having regard to the African Charter of Human and Peoples' Rights of June 1981,
 - having regard to the African Charter on Democracy, Elections and Governance of January 2007,
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the Universal Declaration of Human Rights of December 1948,
 - having regard to the UN Declaration on Human Rights Defenders of December 1998,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas on March 9, 2015, five armed men abducted free-lance journalist and leader of the Occupy Africa Unity Square (AUS) protest group Itai Dzamara near his home in the Glen view suburb of Harare;
- B. whereas on March 13, Dzamara's wife, Sheffra Dzamara, approached the High court in Harare to compel state authorities to search for her husband, and whereas Judge David Mangota ordered the home affairs minister, the police commissioner-general, and the director-general of the Central Intelligence Organization (CIO) "to do all things necessary to

determine his whereabouts";

- C. whereas Judge Mangota ordered the government to report to the court every two weeks on its progress with the case until Dzamara is found but Zimbabwe's senior state security officials have yet to comply with the High Court's orders;
 - D. whereas the ruling of the High Court included also an order to advertise on all state media and work closely with lawyers appointed by Zimbabwe Lawyers for Human Rights to search for Dzamara "at all such places as may be within their jurisdiction";
 - E. whereas in early April Sheffra Dzamara reported that unidentified men were keeping her under constant surveillance and that she feared for her life;
 - F. whereas on the 27th of April, 11 people were detained in Harare, after having taken part in a car procession in support of missing Itai Dzamara, and were held for six hours;
 - G. whereas in the months prior to his abduction, Dzamara had led a number of peaceful protests against the deteriorating political and economic environment in Zimbabwe, and in particular, two days before he was abducted, he addressed a political rally organized by the opposition Movement for Democratic Change (MDC-T), calling for mass protests against worsening repression and for the resignation of President Robert Mugabe;
 - H. whereas on several occasions in 2014 and 2015, police and supporters of Mugabe's ruling ZANU-PF party assaulted Dzamara and whereas during a peaceful protest in November 2014, about 20 uniformed police handcuffed and beat Dzamara unconscious with batons, assaulting also his lawyer, Kennedy Masiye;
 - I. whereas a Zanu-PF official has reportedly claimed that the opposition Movement for Democratic Change was responsible for Itai Dzamara's disappearance, adding that the activist was somewhere "enjoying life";
1. Calls on the Zimbabwean government to conduct an urgent and credible investigation aimed at finding Itai Dzamara, to report publicly on his whereabouts, and to comply with the High Court's order, ensuring that those responsible for this serious crime are held accountable;
 2. Urges the Zimbabwean government to ensure the safety and security of Sheffra Dzamara, wife of Itai Dzamara, and her children, and to stop harassment and arrests of peaceful protesters raising awareness of Dzamara's abduction;
 3. Considers that enforced disappearances violate a range of fundamental human rights protected under the International Covenant on Civil and Political Rights, to which Zimbabwe is a party, including prohibitions against arbitrary arrest and detention, torture and other cruel, inhuman, or degrading treatment and extrajudicial execution;
 4. Calls on the EU Member States, the EEAS (including the EU delegation), the European Commission to be consistent with the commitments made in the EU Strategic Framework on human rights and democracy and to urge the Zimbabwean government to ensure all

Zimbabweans are able to enjoy freedom of speech, assembly and association as guaranteed by Zimbabwe's laws and Constitution;

5. Deplores that human rights activists in Zimbabwe face severe restrictions on their work and that the police frequently misuse laws such as the Public Order and Security Act (POSA) and the Access to Information and Protection of Privacy Act (AIPPA) to ban lawful public meetings and gatherings;
6. Is concerned that although the new constitution was adopted in May 2013, the process of aligning the country's laws with the Constitution has been remarkably slow, denying people in Zimbabwe some of the progressive human rights provisions enshrined in the supreme law of the country;
7. Calls on the Zimbabwean government to urgently amend or repeal all laws that are not in line with its Constitution;
8. Strongly urges the Zimbabwean government and the President Mugabe to comply with the international obligations and the provisions of the international treaties that have been signed by Zimbabwe and that guarantee the respect of the rule of law and the fulfilment of civil and political rights;
9. Instructs its President to forward this resolution to the Council, the European Commission, the VP/High Representative of the Union for Foreign Affairs and Security Policy, the governments and the Parliaments of the Member States, the EEAS, the government and the Parliament of Zimbabwe, and the Pan-African Parliament.