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*Plenary sitting*

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**B8-0200/2017**

14.3.2017

## **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, case of Pastor Evan Mawarire  
(2017/2608(RSP))

**Pavel Telička, Johannes Cornelis van Baalen, Petras Auštrevičius, Beatriz Becerra Basterrechea, Dita Charanzová, Marielle de Sarnez, Gérard Deprez, María Teresa Giménez Barbat, Nathalie Griesbeck, Marian Harkin, Ivan Jakovčić, Petr Ježek, Louis Michel, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Carolina Punset, Jozo Radoš, Frédérique Ries, Marietje Schaake, Hannu Takkula, Ivo Vajgl, Hilde Vautmans, Paavo Väyrynen, Valentinas Mazuronis**  
on behalf of the ALDE Group

**European Parliament resolution on Zimbabwe, case of Pastor Evan Mawarire (2017/2608(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Zimbabwe, particularly that of 15 September 2016,
- having regard to the Council decision concerning restrictive measures against Zimbabwe on 15 February 2016,
- having regard to the joint statement of the European Union Delegation, the Heads of Mission of EU Member States present in Harare and the Head of Mission of Switzerland in Zimbabwe on 9 March 2017 on the abduction of Itai Dzamara,
- having regard to the statement of the EU Delegation to Zimbabwe on the arrest of Evan Mawarire on 1 February 2017,
- having regard to the Universal Declaration of Human Rights of December 1948,
- having regard to the African Charter on Human and Peoples' Rights of June 1981, which Zimbabwe has ratified,
- having regard to the Mandate of the United Nations Working Group on Arbitrary Detention,
- having regard to the Chapter 4 (Declaration of Rights) of the Constitution of Zimbabwe of 22 August 2013,
- having regard to the Cotonou Agreement,
- having regard to Rule 135 of procedure,

A. whereas Mr. Mugabe, 93 years old, led the impoverished Zimbabwe since its independence from Britain in the 1980, as Prime Minister from 1980 to 1987 and as President of the Republic since then; whereas President Mugabe maintained the power through corruption, violence and brutal security apparatus;

B. whereas Zimbabwe is considered a low-income, food deficit country, ranked 156 out of 187 developing countries on the Global Hunger Index, which measures progress and failure in the global fight against hunger, whereas the prevalence of food insecurity and absolute poverty are closely correlated, and poverty is most prevalent in rural areas, with 76% of rural households living on less than 1,25 US dollar per day, compared to 38% in urban areas,

C. whereas the government of Zimbabwe said that 246 people have died, 128 were injured and approximately 1 985 made homeless after above-normal rains flooded the country, whereas regions now affected by floods have recently suffered from severe drought which left more than 4 million in need of food aid,

D. whereas unrest erupted on May 2016 on background of cash shortage, widespread unemployment, state corruption and efforts by the authorities to suppress freedom of expression and political opposition; whereas the ban by the government of the use of the national flag by protesters and the introduction of a much-maligned bond notes were both issues that galvanised Zimbabweans against the government,

E. whereas on 26 August 2016 bloody clashes took place in Harare when the police bludgeoned thousands of protesters who had gathered to express their opposition to outstanding electoral reforms ahead of the country's 2018 national elections,

F. whereas various groups have called for demonstrations through internet; whereas the protest movement led by Pastor Evan Mawarire, using the hashtag #This-Flag is an independent social media movement that staged a national stay-away in Zimbabwe on 6 July 2016 in protest against deteriorating socio-economic conditions has drawn a very wide support from the churches and the middle class;

G. whereas the #This-Flag opposition movement called on 6 July 2016 for a national "stay-away" day in protest against the government's inaction against corruption, impunity and poverty, Pastor Evan Mawarire was arrested on 12 July 2016 and charged with "incitement of public violence" in relation to the national stay-away; whereas after a series of death threats he left the country for a six-month stint in exile;

H. whereas Promise Mkwanzani, the leader of #Tajamuka, a social movement linked to the July stay-away, who was arrested and charged for inciting public violence ahead of the call for "shutdown 3.0" scheduled for 31 August 2016 and has been released on bail; whereas another #Tajamuka activist, Mrs. Linda Masarira, previously arrested in May 2015 and remanded out of custody on free bail was arrested again during the protest in July 2016 and has remained in detention ever since;

I. whereas Itai Dzamara, a journalist and political activist was abducted on 9 March 2015 by five unidentified men at barber shop in Harare; whereas the High Court ordered the government to search for Dzamara and report progress to the Court every fortnight until his whereabouts were determined;

J. whereas members of the Central Intelligence Organisation arrested Pastor Evan Mawarire upon his arrival at Harare International Airport on 1 February 2017 as he returned to his country after fleeing in July 2016 and appeared at the Harare Magistrates' Court two days later where he was denied bail and remanded to 17 February 2017;

K. whereas according to his lawyer Pastor Evan Mawirere was initially charged for "subverting a constitutionally elected government"; whereas the maximum sentence for this charge is 20 years in prison without the option of a fine, whereas the police, on 2 February, added another charge of "insulting the flag of Zimbabwe" under the Flag of Zimbabwe Act.;

L. whereas Pastor Evan Mawarire, during his short exile period, vowed to continue to support popular opposition to the Mugabe government in the run up to the 2018 presidential elections in which Mr. Mugabe has already said he will seek another term; whereas Pastor Evan Mawarire said that he might stand in the 2018 General elections, the charges against him are intended to obstruct his work as a human rights defender and political activist and adds to the growing trend by the state to harass and intimidate activists and human rights defenders;

M. whereas it's clear that the authorities are abusing the law to persecute Mawarire for his role as leader of the #This-Flag campaign, which led protests against President Robert Mugabe's government and called on authorities to address rights problems and a failing economy;

N. whereas his arrest caused an outcry from local and international rights groups, Zimbabwe's High Court freed Pastor Evan Mawarire on US\$300 bail after a week in prison; whereas, however, the sham charges against him – subverting a constitutional government, which carries a 20-year prison sentence, inciting public violence, and insulting the national flag – remain, and are reportedly being investigated;

O. whereas on Wednesday 22 February 2017, Human Rights Foundation (HRF) discussed the arbitrary detention of Evan Mawarire in a set of high-level meetings with representatives from the U.N. Office of the High Commissioner for Human Rights (OHCHR), the U.N. Working Group on Arbitrary Detention (UNWGAD), and the U.N. Special Rapporteur on the Situation of Human Rights Defenders;

P. whereas Evan Mawarire is confirmed to take part at the upcoming 2017 Oslo Freedom Forum, organized by HRF and taking place on May 22-24;

1. recalls that Zimbabwe is a signatory to the Cotonou Agreement, Article 9 of which stipulates that respect for human rights and fundamental freedoms is an essential element of ACP-EU cooperation; reminds that the National Indicative Program (NIP) for Zimbabwe has been allocated EUR 234 million for the period 2014-2020 under the 11th European Development Fund, to be focused on three main sectors among which governance and institution building,

2. remains deeply worried at the lack of progress in the investigation of Mr Itai Dzamara's case and that raises doubts about the intention of the authorities responsible for the investigation, calls one more time on the Zimbabwean authorities to ascertain Mr Itai Dzamara's whereabouts and to ensure that justice is served;

3. expresses also its concern about Mrs Linda Masarira's case convicted on public violence charges arose from last 6 July national strike; calls on the government of Zimbabwe to show restraint and respect the human rights of all Zimbabwean citizens, including the right to free speech and freedom of assembly, reminds the government its responsibilities towards respecting, obeying and not subverting the Constitution, impartially serving all the Zimbabwean people without any exception,

4. urges the Zimbabwean authorities to drop all charges against Pastor Evan Mawarire, as he has been charged solely for the peaceful exercise of his rights as enshrined in the Zimbabwe constitution and regional and human rights law and standards, recalls that Pastor Evan Mawarire returned voluntarily and freely to his home country after his tiny period in exile, appeals to bead the rule that he should report at Police station twice per week and so that he can enjoy all his constitutional rights,
5. calls for a peaceful evolution towards the 2018 general elections to be based on a free and fair electoral process, the rule of law and respect for human rights in order to develop a free, prosperous and pluralist democracy;
6. draws attention to the particular plight of the Zimbabweans victims of poverty and flood this time, but also victims of draught on other times, who are under threat of hunger, calls on the international community to respond to the Zimbabwe's appeal for aid in order to provide the most basic needs of a large proportion of the Zimbabwean population,
7. instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the European External Action Service, the Government and Parliament of Zimbabwe, the governments of the Southern African Development Community, the African Union, the Pan-African Parliament, the ACP-EU Joint Parliamentary Assembly and the Secretary-General of the Commonwealth.