



Plenary sitting

B8-0643/2017

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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 135 of the Rules of Procedure

on Madagascar
(2017/2963(RSP))

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B8-0644/2017

**European Parliament resolution on Madagascar
(2017/2963(RSP))**

The European Parliament,

- having regard to its resolution of 9 June 2011 on the situation in Madagascar,
 - having regard to the Concluding Observations on Madagascar of the UN Human Rights Council on the International Covenant on Civil and Political Rights, 4th Periodic Review,
 - having regard to the Report of 26 April 2017 of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, on his visit to Madagascar,
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the Universal declaration on Human Rights,
 - having regard to the African Charter on Human and Peoples' Rights,
 - having regard to the Cotonou agreement,
 - having regard to Rule 135 of its Rules of Procedure,
- A. Whereas Madagascar figures among the world's poorest nations and has witnessed several political crises during the last 20 years; whereas it officially constitutes a fragile state since 2013,
- B. Whereas the last constitutional crisis following a coup in 2009 led to a suspension of aid programmes and worsened already dire living conditions,
- C. Whereas the organisation of credible presidential and legislative elections in 2013 put an end to the constitutional crisis,
- D. Whereas reduced public budgets led to a sharp decline in access to health and education and a deterioration of public infrastructure,
- E. Whereas underemployment, food insecurity and malnutrition have been increasing; whereas this situation is compounded by high vulnerability to natural hazards, such as

locust attacks or climatic events (cyclones, droughts, floods) exacerbated by climate change; whereas five million Malagasy live in regions affected by such natural phenomena,

- F. Whereas a highly difficult economic and social situation led to an increased use and trafficking of natural resources like rosewood, which is severely threatening Madagascar's biodiversity; whereas this in turn worsens economic and social conditions as $\frac{3}{4}$ of the population depend directly or indirectly of agriculture, fisheries and forestry,
- G. Whereas since 2003, Madagascar has tripled its coverage of protected areas, to nearly 12 per cent of the country,
- H. Whereas logs have been exported as raw material for highly valuable furniture in foreign markets, especially in China,
- I. Whereas in 2013, the Conference of the Parties to the Convention on International Trade in Endangered Species (CITES) adopted an action plan for Madagascar which required that the country strengthen its enforcement efforts and that it place an embargo on the export of any stockpiles of the woods; whereas since then, the secretariat of the Convention and the CITES Standing Committee have repeatedly stated that Madagascar has failed to comply with the action plan; whereas widespread impunity prevails for illegal logging and infractions of environmental laws according to the CITES secretariat; whereas on the other hand, individuals opposing illegal loggings have been convicted, by courts facing serious risks of corruption,
- J. Whereas Madagascar's diverse fauna is facing ever increasing pressure from deforestation, agricultural production and overgrazing, and desertification and water pollution,
- K. Whereas Madagascar has a big potential in its natural resources reserves which include graphite, gold, nickel and other metals, coal, oil, hardwood and precious and semiprecious stones; whereas the mining code is currently under revision,
- L. Whereas in recent years, Madagascar has seen a rapid increase in mining permits, which has led to an increase in the number of protests against mining operations,
- M. Whereas the environmental impact and lack of transparency in the management of extractive industries often harms local communities and their sustainable development; whereas government response to protesters and campaigners has been to

limit freedom of association and expression in the country; whereas human rights defenders in Madagascar regularly face intimidation and threats, as well as judicial harassment;

- N. Whereas restrictive defamation laws in Madagascar under the Communication Code, limits freedom of expression and the work of journalists, prevents legitimate criticism of the government, and imposes heavy fines on those found guilty of breaches, in contravention of international human rights norms;
- O. Whereas the environmental and human rights defender Raleva was arrested on 27 September 2017 for “use of a false title”, while questioning the operations of a gold-mining company after mining had been banned due to environmental degradation; whereas Raleva received a two year suspended sentence on 26 October 2017; whereas Amnesty International has called for his immediate release,
- P. Whereas Clovis Razafimalala, an environmental activist who denounced the illegal trafficking and exploitation of rosewood and other timber has been detained for more than nine months on trumped-up charges of rebellion, destruction of public documents and goods and arson; whereas he got convicted to a suspended prison sentence of five years;
- Q. Whereas allegations of extrajudicial executions committed by law enforcement officials have been put forward, many of them having occurred in the context of banditry linked to cattle thieves in the southern part of the country,
- R. Whereas reportedly law enforcement officials have sought revenge after incidents of mob justice; whereas in February 2017, police officers allegedly burnt down five villages in Antsakabary town after two of their colleagues were allegedly killed by villagers; whereas an elderly woman died from burns during the attack, as she was unable to escape;
- S. Whereas in 2016, Madagascar, like other countries in eastern and southern Africa, continued to experience one of the worst droughts in its history, attributed to the El Niño effect as strengthened by global warming; whereas the United Nations announced that the drought had caused nearly 850,000 people in southern Madagascar to become acutely food insecure,
- T. Whereas Madagascar has taken steps to increase its disaster response capacity, including by developing a national contingency plan, working with local communities to develop their own capacity and conducting simulation exercises,

- U. Whereas the Government of Madagascar has also taken measures to address climate change, including by formulating a national climate action plan in 2011 and establishing a national carbon registry in 2012; whereas the effective implementation of these and other adaptation measures is difficult, however, because of the lack of adequate resources;
- V. Whereas EU aid is focussing on good governance, infrastructure and rural development;
1. Welcomes that Madagascar has put an end to its constitutional crisis and that the current government has been put in place following credible elections,
 2. Recognises the numerous challenges Madagascar is facing, be it economically, socially or environmentally; acknowledges the efforts the government has made in difficult circumstances,
 3. Expresses relief that the serious drought in 2016 did not result in widespread famine; considers this to be the result of a rapid international reaction providing humanitarian assistance; highlights the role of the EU as a major donor to the World Food Programme,
 4. Calls on Malagasy authorities to systematically conduct impartial investigations on extrajudicial executions, to prosecute the perpetrators and to ensure that the families of victims receive adequate compensation ;
 5. Is especially worried by the rapid degradation of natural resources and the consequences this has on the livelihood for many Malagasy,
 6. Calls in this context on the Malagasy authorities to respect their obligations stemming from the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), including by greatly strengthening the effective enforcement of its laws against illegal logging and trafficking;
 7. Considers that illegal exploitation of natural resources and the prevailing impunity are linked to issues of corruption; asks to put fully into operation the planned High Court of Justice and take effective measures against corruption;

8. Invites Madagascar to take the necessary steps to become a fully compliant member of the Extractive Industries Transparency Initiative,
9. Welcomes the ongoing process of revision of Madagascar's mining code; urges the Government to ensure that the revision meets the international human rights requirements like prior assessment and consultation with the people most affected, effective remedies in case of violations of their rights and authorisation for mining activities only if they avoid, minimize and, to the extent possible, restore the site and offset environmental harm;
10. Calls on the Government to review the mining permits issued by the transitional Government and to suspend those permits that were not issued in accordance with the MECIE (Mise en Compatibilité des Investissements avec l'Environnement) Decree on environmental impact assessment and other applicable laws until the proper procedures, including consultation with local communities, are followed,
11. Is concerned by the numerous sentences pronounced against environmental and human rights defenders, which contrast starkly with the number of convictions for infringing environmental laws,
12. Underlines the need for clear, effective laws protecting the rights of environmental and other human rights defenders, including by ensuring that the laws do not criminalize or otherwise prevent the exercise of their rights to freedom of expression, association and assembly,
13. Urges Malagasy authorities to quash the sentence and drop all charges against Raleva and Clovis Razafimalala, and actively engage with local communities to address concerns of environmental degradation;
14. Reiterates that the European Union and its Member States must ensure the full implementation of the EU Guidelines on Human Rights Defenders; underlines that environmental and human rights defenders, journalists and activist must be able to carry out their work in Madagascar free of harassment and threats; underlines that the EU and its Member States must invest in providing support and protection to human rights defenders, as key actors in sustainable development, including by means of urgent grants under the EIDHR emergency fund for human rights defenders at risk;

15. Recalls that while developing countries have contributed least to climate change, they are facing its most severe social and environmental consequences, particularly in those least developed countries like Madagascar that have insufficient resources to prepare for and adjust to the changes occurring;
16. Recalls that further efforts are necessary to ensure the mobilisation of climate finance to meet the USD 100 billion goal by 2020; calls on the EU and developed countries to scale up its funding for mitigation, adaptation, technology development and transfer and capacity building in developing countries, which should be new and additional to development aid; calls on the EU to use new sources of finance, such as ETS auction revenues and financial transaction tax; deems that revenues from market based instruments to reduce global aviation and shipping emissions should contribute to finance the Global Climate Fund;
17. Recalls that global warming represents a growing challenge in terms of access to water and food security; encourages the EU to scale up its support on Disaster Risk Reduction (DRR) to ensure Malagasy are more resilient to recurring natural hazards;
18. Calls on the EU to upgrade its assistance in sustainable agriculture by targeting its support on small-scale farmer, access to and control over locally-adapted seeds and natural resources, crop diversification, agro-forestry and agro-ecological practises to enhance resilience against climate change, while ensuring food security;
19. Stresses equally that climate resilience-building measures in Madagascar should primarily include flood control, integrated river basin management and reforestation; calls on the EU to upgrade its technical and financial support to the government of Madagascar and local authorities to these ends,
20. Underlines that deforestation and the degradation of ecosystems increases Madagascar's vulnerability to natural disasters; recalls that deforestation and forest degradation are responsible for 20 % of global greenhouse gas emissions; in reverse, emphasises that forest resources and ecosystems are critical to climate resilience because they provide water, food security, protection from natural hazards, organic matter for soil fertility, carbon sequestration and support for livelihoods;
21. Calls for the EU to scale up international finance for reducing deforestation in developing countries like Madagascar; likewise, calls on the EU to upgrade its assistance to promote renewable energy technologies such as solar and hydro-electric

power, for which Madagascar has a strong potential and which are for the moment insufficiently considered in the National Indicative Programme (NIP);

22. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Government and Parliament of Madagascar, the African Union, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan African Parliament.