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TEXTS ADOPTED

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**P8\_TA(2017)0086**

**Zimbabwe, the case of Pastor Evan Mawarire**

**European Parliament resolution of 16 March 2017 on Zimbabwe, the case of Pastor Evan Mawarire and other cases of restriction of freedom of expression (2017/2608(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Zimbabwe,
- having regard to the Local EU Statement on Local Governance of 30 June 2016,
- having regard to the Local EU Statement on violence of 12 July 2016,
- having regard to the joint Local EU Statement on the abduction of Itai Dzamara of 9 March 2017,
- having regard to the Zimbabwe Human Rights Commission's press statement on public protests and police conduct,
- having regard to Council Decision (CFSP) 2016/220 of 15 February 2016<sup>1</sup> extending EU restrictive measures against Zimbabwe until 20 February 2017,
- having regard to the Declaration by the High Representative on behalf of the EU of 19 February 2014 on the review of EU-Zimbabwe relations,
- having regard to the Global Political Agreement signed in 2008 by the three main political parties, namely ZANU PF, MDC-T and MDC,
- having regard to the Council of the European Union conclusions of 23 July 2012 on Zimbabwe and to Council Implementing Decision 2012/124/CFSP of 27 February 2012 implementing Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe<sup>2</sup>,
- having regard to the African Charter of Human and Peoples' Rights of June 1981, which Zimbabwe has ratified,
- having regard to the EU Guidelines on the promotion and protection of freedom of

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<sup>1</sup> OJ L 40, 17.2.2016, p. 11.

<sup>2</sup> OJ L 54, 28.2.2012, p. 20.

religion or belief,

- having regard to the Universal Declaration of Human Rights of December 1948,
  - having regard to the Constitution of Zimbabwe,
  - having regard to the Cotonou Agreement,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the people of Zimbabwe have suffered for many years under an authoritarian regime led by President Mugabe that maintains its power through corruption, violence, elections plagued by irregularities and a brutal security apparatus; whereas the people of Zimbabwe have not experienced true freedom in decades and many under the age of thirty have therefore only known lives of poverty and violent repression;
- B. whereas the #ThisFlag independent social media movement founded by Evan Mawarire, a pastor and human rights defenders based in Harare, catalysed the frustration of citizens with the Mugabe regime during last year’s protests against the government’s inaction against corruption, impunity and poverty; whereas Pastor Mawarire has called on the government to address the failing economy and respect human rights; whereas the #ThisFlag movement has drawn support from churches and the middle class, which had hitherto tended to steer clear of street politics;
- C. whereas Pastor Evan Mawarire was already arrested on charges of incitement to commit public violence and released in July 2016, and subsequently left Zimbabwe the same month for fear of his and his family’s safety;
- D. whereas on 1 February 2017 Pastor Evan Mawarire was arrested at Harare airport on his return to Zimbabwe; whereas he was initially charged with ‘subverting a constitutional government’ under Section 22 of the Criminal Procedure Act, an offence which is punishable with imprisonment for up to 20 years; whereas on 2 February 2017 another charge was added, that of insulting the flag under Section 6 of the Flag of Zimbabwe Act; whereas Pastor Mawarire was only released on bail after having spent nine days in custody;
- E. whereas, in a public statement, the Zimbabwean Human Rights Commission expressed deep concern about the brutality and violent conduct of the police, stating that the fundamental rights of demonstrators were violated, and called on the Zimbabwean authorities to investigate and bring the perpetrators to justice;
- F. whereas Itai Dzamara, a journalist and political activist, was abducted on 9 March 2015 by five unidentified men at a barbershop in Harare; whereas the High Court ordered the government to search for Dzamara and report on progress to the Court every fortnight until his whereabouts had been determined; whereas the fate of Mr Dzamara remains unknown;
- G. whereas Promise Mkwanzani, the leader of #Tajamuka, a social movement linked to the July stay-away, 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, who was previously arrested in May 2015 and remanded out of custody on free bail, was arrested again during the

protest in July 2016;

- H. whereas the EU restrictive measures against the Zimbabwe regime were renewed in February 2017 until 20 February 2018; whereas the asset freeze and travel bans will continue to apply to President Mugabe, Grace Mugabe and Zimbabwe Defence Industries; whereas an arms embargo will remain in place; whereas the EU has lifted restrictions on 78 people and eight entities;
  - I. whereas 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;
  - J. whereas the EUR 234 million allocated to the National Indicative Programme (NIP) for Zimbabwe for the period 2014-2020 under the 11th European Development Fund is to be focused on three main sectors, namely health, agriculture-based economic development, and governance and institution building;
1. Deplores the arrest of Pastor Evan Mawarire; stresses that his release on bail is not sufficient and that the politically motivated charges against him must be completely withdrawn;
  2. Calls on the Zimbabwean authorities to ensure that the criminal justice system is not misused to target, harass or intimidate human rights defenders such as Pastor Evan Mawarire;
  3. Believes that freedom of assembly, association and expression are essential components of any democracy; stresses that expressing an opinion in a non-violent way is a constitutional right for all Zimbabwean citizens and reminds the authorities of their obligation to protect the rights of all citizens;
  4. Is deeply concerned by human rights organisations' reports of political violence, as well as restrictions on, and intimidation of, human rights defenders; regrets that since the last elections, and the adoption of the new Constitution in 2013, little progress has been made with regard to the rule of law and in particular towards reforming the human rights environment;
  5. Calls on the Zimbabwean authorities to ascertain Mr Dzamara's whereabouts and to ensure that those who are responsible for his abduction face justice; notes that expressing opinion in a non-violent way is a constitutional right for all Zimbabwean citizens and it is the obligation of the authorities to protect the rights of all citizens;
  6. Expresses also its concern about the case of Mrs Linda Masarira, who was convicted on public violence charges arising from the national strike held on 6 July 2016; 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 of its responsibilities as regards respecting, obeying and not subverting the Constitution, and serving all Zimbabwean people impartially without exception;
  7. Calls on the EU Delegation in Harare to continue to offer its assistance to Zimbabwe in order to improve the human rights situation and to explore the possibilities of facilitating an EU election observation mission;

8. Stresses again the importance for the EU to start up a political dialogue with the Zimbabwean authorities in the framework of the Cotonou Agreement, thereby confirming the EU's commitment to supporting the local population;
9. Insists that the EU must ensure that the funding allocated to Zimbabwe for its National Indicative Programme effectively addresses the sectors concerned, and calls on the Government of Zimbabwe to allow the Commission unhindered access to EU-funded projects and to enhance its openness to technical assistance for jointly agreed projects and programmes;
10. Instructs its President to forward this resolution to the Commission, the Council, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EEAS, the Government and the Parliament of Zimbabwe, the governments of the South African Development Community and the African Union.