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MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Council and Commission
pursuant to Rule 103(2) of the Rules of Procedure

by Josep Borrell Fontelles

on behalf of the Committee on Development

on Zimbabwe

B6-0000/2008

European Parliament resolution on Zimbabwe

The European Parliament,

- having regard to its resolutions on Zimbabwe of 16 December 2004, 7 July 2005, 7 September 2006, 26 April 2007, and 24 April 2008,
 - having regard to Council Common Position 2008/135/CFSP of 18 February 2008⁽⁵⁾ renewing until 20 February 2009 the restrictive measures against Zimbabwe imposed under Common Position 2004/161/CFSP,
 - having regard to the Council Conclusions on Zimbabwe adopted on 26/27 May and on 29 April 2008,
 - having regard to the resolution on the Forthcoming Election Run-off in Zimbabwe adopted by the African Commission on Human and Peoples' Rights (the African Commission) meeting at its 43rd Ordinary Session in Ezulwini, the Kingdom of Swaziland from 7 – 22 May 2008,
 - having regard to the report of the Pan African Election Observer Mission on the harmonised elections in the Republic of Zimbabwe on 29 March 2008,
 - having regard to the Presidency Conclusions of the European Council of 19/20 June 2008, which confirm the readiness of the EU to adopt additional measures against those responsible for the violence,
 - having regard to the statement of the EU High Representative for the CFSP, Javier Solana, of 22 June, according to which the withdrawal of Mr Tsvangirai was understandable and the elections have become a travesty of democracy in the given conditions,
 - having regard to the recent statements by both retired and currently serving African leaders that the elections cannot be free and fair,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas elections to the House of Assembly of Zimbabwe, the Senate of Zimbabwe, the Presidency, and the organs of local government took place on 29 March 2008,
- B. whereas according to official results released by the Zimbabwe Electoral Commission, the opposition party MDC won a majority of seats in the House of the Assembly, while Mr Morgan Tsvangirai won 47.9% and Mr Robert Mugabe won 43.2% of the votes in the presidential election,
- C. whereas the results of Presidential election were delayed for several weeks, which has undermined the credibility and transparency of the electoral process,

- D. whereas the second round of the presidential election was announced for 27 June between Robert Mugabe (ZANU-PF) and Morgan Tsvangirai (MDC),
- E. whereas Robert Mugabe has recently declared that the opposition Movement for Democratic Change (MDC) would never rule Zimbabwe and that he was prepared to fight them from taking power,
- F. whereas in the run-up to the second round of the presidential elections activists and supporters of the opposition suffered from state-sponsored violence, torture, intimidation and arbitrary arrests, and according to the MDC at least 86 of its supporters have been killed and 200,000 displaced from their homes,
- G. whereas Mr Tsvangirai has several times been arrested during the election campaign,
- H. whereas the UN Security Council has at last unanimously condemned the campaign of violence being waged by the Zimbabwean Government;
- I. whereas MDC Secretary General, Mr Tendai Biti, was arrested on 12 June and charged with subversion and treason,
- J. whereas the state media has banned campaign adverts of the MDC, thus impeding a free and fair electoral campaign; whereas the MDC rally planned for 22 June 2008 in Harare was obstructed by violent supporters of ZANU-PF,
- K. whereas journalists have been harassed and intimidated and foreign journalists barred from entering the country,
- L. whereas police have arbitrarily arrested civil society activists, including members of church-based civic groups in Harare, and a number of NGOs and aid agencies had to suspend their operations,
- M. whereas access of local election observers to polling stations was restricted by the government,
- N. whereas the MDC decided on 22 June to pull out from the presidential election run-off as free and fair elections had been rendered impossible,
- O. considérant que Morgan Tsvangirai s'incline non devant le verdict des électeurs et la crainte d'une éventuelle défaite, mais devant la loi de la terreur qui règne actuellement a Zimbabwe,
- P. whereas according to a report of the Food and Agriculture Organisation and the World Food Programme an estimated two million face hunger between next month and September in Zimbabwe, and this figure is expected to rise to 5.1 million in January to March 2009,
- Q. whereas one in ten children in Zimbabwe die before their fifth birthday and life expectancy is 37 years,
- 1. Strongly condemns the government-sponsored campaign of violence against the political opposition ahead of the second round of the Presidential elections scheduled for 27 June,

which has resulted in the killing of opposition activists and supporters as well as human rights defenders;

2. Considers that the campaign of violence, threat and intimidation against opposition made a free and fair run-off presidential election in Zimbabwe impossible;
3. Welcomes African countries' as well as a large group of former African leaders' position in condemning the intimidation of the MDC and encourages them to engage concretely in a political and democratic solution;
4. Calls on the international community to increase diplomatic pressure on the Mugabe regime to immediately stop all violence and agree to an inclusive mediation process, led by AU, SADC and UN, enabling to bring about a rapid and positive solution to the Zimbabwe crisis, based on free and fair elections;
5. Calls on EU Member States to reject international recognition should Robert Mugabe be sworn in as President for another five-year term;
6. Calls on the Council and the Commission to step up the diplomatic engagement with African governments, the SADC and AU as well as with other important actors, including the Chinese government, to identify common positions towards the crisis in Zimbabwe;
7. Calls on the Council and Commission to press for the sending of international human rights observers and election observers to the country;
8. Calls on the UN to put in place an independent investigation of the human rights violations which were committed in the election phase and insists that those responsible must be brought before a competent and impartial tribunal;
9. Welcomes the UNSC presidential statement condemning the conduct of Zimbabwe's presidential election; urges the UN Security Council to assume its responsibilities in bringing about a peaceful and democratic solution;
10. Calls on the Council to push for effective and tangible international conflict-prevention and mitigation measures, if needed with the rapid deployment of AU/UN peacekeeping troops;
11. Calls on the Council to tighten targeted sanctions against Members of the Mugabe regime and others responsible for grave violations of human rights, if mediation efforts are not accepted and the state-sponsored violence is not ended, and to press for sanctions to be adopted at UN level, including an arms embargo;
12. Regrets the failure of the current mediation efforts and calls for a positive and active engagement of the South African government in order to help for and support democratic change in Zimbabwe;
13. Calls on China and Libya to cease their support for the Mugabe regime and to play a full part in the international community in helping to bring about a rapid change for the better in Zimbabwe;
14. Believes that a transitional government of national unity should be formed urgently,

including MDC and ZANU-PF forces, with a mandate to stabilise the economy, resolve the humanitarian crisis and legislate a new democratic constitution and to create quickly conditions for free and fair presidential elections;

15. Urges the immediate release of all persons detained for solely political reasons;
16. Notes the devastating impact that the political crisis is having upon the people of Zimbabwe and calls on the government to lift all restrictions against humanitarian aid agencies and to ensure that humanitarian aid can be delivered in accordance with the principles of humanity, neutrality, impartiality and independence;
17. Calls on the Zimbabwe government to disarm and demobilise youth militias and war veterans and prosecute cases against individuals who have committed human rights violations;
18. Condemns the fact that a United Nations human rights official was expelled from Zimbabwe one week before the scheduled elections, and calls on the government to grant unhindered access to UN staff;
19. Underlines the need for the rehabilitation of the victims and calls for transitional justice measures, including the setting-up of a Truth and Reconciliation Commission;
20. Calls on the South African authorities to end the deportation of Zimbabwean refugees and to grant them a temporary status until a safe return is possible;
21. Calls on the EU Council to intensify its sanctions, to implement them with total rigour and without excuses, and to co-ordinate with the wider international community in order to ensure the effectiveness of their measures, and to prevent evasions;
22. Calls on the Commission to step up support for human rights defenders and react swiftly to additional humanitarian needs caused by the political crisis, in particular in regards to the needs and safety of Internally Displaced People;
23. Shows concern about the 10% to 40% predicted increase in numbers of Zimbabweans crossing borders in the next few weeks; notes that among these migrants, children will be in a particularly vulnerable situation, at risk of abuse, and forced to take up dangerous jobs such as mining, handling farm machinery or sex work in order to survive;
24. Calls on the EU to halt any aid that is distributed through the current Zimbabwean authorities and to channel it through national and international NGOs instead;
25. Insists that the democratic wishes of the Zimbabwean people be respected; urges all those who wish to participate in the future of Zimbabwe to cooperate with the forces of democratic change;
26. Calls on the Zimbabwean Government to honour its own commitments to democratic principles, human rights and the rule of law as a signatory to the SADC Treaty and the Protocols thereto, including the SADC electoral protocol, the Constitutive Act of the African Union, the African Charter on Human and Peoples' Rights and the New

Partnership for Africa's Development;

27. Calls on those of goodwill in the structures of the regime and in Zanu-PF to reject the anti-democratic forces and to take action to co-operate with the MDC in bringing about rapid change before it is too late;
28. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments of the G8 countries, the governments and parliaments of Zimbabwe and South Africa, the Secretary-General of the Commonwealth, the Secretary-General of the United Nations, the Chairmen of the Commission and Executive Council of the African Union, the Pan-African Parliament, and the Secretary-General and governments of the Southern African Development Community and its Parliamentary Forum.