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3. Emphasises the importance of peaceful democratic elections to the strengthening and preservation of the Tibetan identity both inside and outside the territory of Tibet;
4. Urges the Nepali authorities to respect the rights of Tibetans in Nepal to freedom of expression, assembly and association as guaranteed for all persons in Nepal by international human rights conventions to which Nepal is a party;
5. Calls on the authorities to refrain from preventive arrests and restrictions on demonstrations and freedom of speech that deny the right to legitimate peaceful expression and assembly during all activities undertaken by the Tibetan community in the country and urges the Government of Nepal to include such rights and to ensure religious freedom within Nepal's new constitution, due to be enacted by 28 May 2011;
6. Calls on the Nepalese authorities to abide by their international human rights obligations and their own domestic laws in their treatment of the Tibetan community and urges the government to resist the strong pressure exerted by the Chinese Government to silence the Tibetan community in Nepal using restrictions which are not only unjustified but also illegal under domestic and international law;
7. Considers that the continuation of the full implementation of the 'Gentlemen's Agreement' on the Tibetan refugees by the Nepali authorities is essential for maintaining contact between the UNHCR and Tibetan communities;
8. Calls on the European External Action Service through its delegation in Kathmandu to closely monitor the political situation in Nepal, especially the treatment of the Tibetan refugees and respect for their constitutionally and internationally enshrined rights, and urges the EU High Representative to address the concerns about the actions taken by the Nepalese Government to block the Tibetan elections, with the Nepalese and Chinese authorities;
9. 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 of Nepal and the Secretary-General of the United Nations.

Zimbabwe

P7_TA(2011)0159

European Parliament resolution of 7 April 2011 on Zimbabwe

(2012/C 296 E/22)

The European Parliament,

- having regard to its numerous previous resolutions on Zimbabwe, most recently that of 21 October 2010 on forced evictions in Zimbabwe ⁽¹⁾,
- having regard to Council Decision 2011/101/CFSP ⁽²⁾ of 15 February 2011 renewing until 20 February 2012 the restrictive measures against Zimbabwe imposed under Common Position 2004/161/CFSP ⁽³⁾, and to Commission Regulation (EC) No 1226/2008 ⁽⁴⁾ of 8 December 2008 amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe,

⁽¹⁾ Texts adopted, P7_TA(2010)0388.

⁽²⁾ OJ L 42, 16.2.2011, p. 6.

⁽³⁾ OJ L 50, 20.2.2004, p. 66.

⁽⁴⁾ OJ L 331, 10.12.2008, p. 11.

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- having regard to the Declaration on Zimbabwe made by the High Representative on behalf of the European Union on 15 February 2011,
 - having regard to the Livingstone Communiqué of 31 March 2011 of the Southern African Development Community (SADC) Summit of the Organ Troika on Politics, Defence and Security Cooperation,
 - having regard to the Global Political Agreement (GPA) that created the Zimbabwean Government of National Unity (GNU) in February 2009,
 - having regard to the African Charter of Human and Peoples' Rights, which Zimbabwe has ratified,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas there has been a marked increase in intimidation, arbitrary arrests, and disappearances of political opponents of Zanu-PF over the last few months, with many MDC members, several MDC MPs, and key members of the MDC leadership, such as Energy Minister Elton Mangoma, co-Home Affairs Minister Theresa Makone and ousted Speaker of the Zimbabwean Parliament Lovemore Moyo, being targeted,
- B. whereas Zimbabwe's Prime Minister, Morgan Tsvangirai, has himself confirmed that President Robert Mugabe and the Zanu-PF party have failed to live up to the terms of the 2009 GPA and that they are violently intimidating MDC-T and MDC-M members of the GNU,
- C. whereas in the past two years the GNU has struggled to bring stability to the country and has failed to pave the way for a democratic transition through credible elections, due to deliberate Zanu-PF obstruction; whereas the already appalling political, economic and humanitarian situation in Zimbabwe has considerably deteriorated since December 2010,
- D. whereas the Zimbabwean security services recently raided the offices of several NGOs (Human Rights NGO Forum, Crisis in Zimbabwe Coalition) as well as the MDC's headquarters, seized NGO documentation and arbitrarily detained NGO and MDC party staff for questioning, only to release the detainees without charge,
- E. whereas Jenni Williams and Magdonga Mahlangu, two leaders of the civil society organisation Women of Zimbabwe Arise (WOZA), as well as Abel Chikomo, director of the Zimbabwe Human Rights NGO Forum, and other human rights defenders, have faced systematic police harassment,
- F. whereas on 19 February 2011, 46 civil society activists were arrested by the security services on charges of treason for organising a public viewing of a video showing the recent popular uprisings in North Africa and the Middle East; whereas, while they were in custody, some of these activists were beaten, tortured and kept in solitary confinement,
- G. whereas the MDC's right to hold political rallies has been curtailed by the Zimbabwean security services, whilst Zanu-PF remains free to hold political rallies, which is in direct contravention of the Zimbabwean Constitution,
- H. whereas Zanu-PF is currently engaged in a violent national campaign to force Zimbabwean citizens to sign a petition calling for the withdrawal of international restrictive measures in place against key members of the Mugabe clique; notes that those who have refused to sign the petition have been brutally beaten or arrested,

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- I. whereas the EU's 'restrictive measures' are specifically targeted against 163 key members of the exploitative Mugabe regime and those that have helped sustain it and do not impact on the people of Zimbabwe more widely, or the Zimbabwean economy,
 - J. whereas the EU, the USA, Australia and Canada continue to share concerns about the human rights situation in the Chiadzwa (Marange) diamond fields, in particular relating to human rights abuses by members of the Zimbabwean security services, and are accordingly reluctant to grant Kimberley Process certification to Chiadzwa-mined diamonds,
 - K. whereas Zimbabwe remains impoverished after years of economic mismanagement by the Mugabe regime and continues to receive extensive humanitarian and other aid, both from the EU and from the UK, the Netherlands, Germany, France, and Denmark, as well as the USA, Australia and Norway, all of which provides for the most basic needs of a large proportion of the Zimbabwean population,
 - L. whereas Zimbabwe's Prime Minister has urged the EU not to accept the credentials of Margaret Muchada, Zimbabwe's Ambassador-designate to the EU, as her unilateral nomination by President Mugabe violates the Zimbabwean Constitution and the terms of the GPA,
1. Demands an immediate end to all politically motivated harassment, arrests and violence by the Zimbabwean state security services and militias either directly controlled by, or loyal to, Mugabe and the Zanu-PF party; stresses that those responsible for such abuses and violations must be held accountable;
 2. Insists that the Zimbabwean people should be given freedom of expression and of assembly, that all intimidation of politicians and civil society activists (in particular human rights activists) should cease, and that every elected representative, irrespective of political persuasion, as well as NGOs, political activists, the press and ordinary citizens should be able freely to express their opinions without fear of violent persecution, arbitrary imprisonment or torture;
 3. Calls for the immediate and unconditional release of all those arbitrarily arrested, in particular MDC officials and followers; condemns all conditions of arrest and detention contrary to international human rights conventions;
 4. Urges the Council, Commission and Member States to actively engage with the AU and the SADC, in particular South Africa, so as to ensure that intimidation and violence do not take place in connection with future elections in Zimbabwe; is of the view, however, that an early election would not resolve outstanding political and economic reform issues; considers that any elections must be based on international norms, including respect for human rights, freedom of expression and movement, with an immediate end to harassment and detention of individuals based on their political views;
 5. Welcomes the SADC Troika's Livingstone Communiqué of 31 March 2011 and urges the SADC to take a lead in ensuring that the communiqué's recommendations are fully implemented by all parties in Zimbabwe, with a view to holding free and fair elections in the country;
 6. Calls on all Zimbabwe's political parties to reach an agreement on a roadmap towards holding free and fair internationally monitored elections in Zimbabwe;
 7. Urges all of Zimbabwe's political parties to fully re-engage with the ongoing constitutional reform process, with a view to having a new Zimbabwean Constitution, acceptable to the people of Zimbabwe, in place prior to the next elections;

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8. Welcomes the recent renewal (in February 2011) of the EU's list of banned individuals and entities with links to the Mugabe regime; emphasises that these restrictive measures are aimed solely at the Zimbabwean kleptocracy and will in no way impact on the Zimbabwean people as a whole;
 9. Urges the EU to keep its restrictive measures against individuals and entities with links to the Mugabe regime in place until there is real evidence of change for the better in Zimbabwe; calls on the Council and Commission and the Member States to take steps to explain this reality in Zimbabwe and internationally and to be more active in winning support for a rapid change to real democracy and economic progress in the country;
 10. Calls on the EU to refuse to accept any Zimbabwean Ambassador to the EU who is not nominated on the basis of due constitutional process and in compliance with the GPA;
 11. Insists that the Zimbabwean authorities should honour their Kimberley Process obligations, fully demilitarise the Marange diamond fields and introduce transparency as regards the proceeds of diamond production;
 12. Applauds the EU and those Member States and other countries that continue to provide funding in direct support of the Zimbabwean people; emphasising the need to ensure that such support continues to be channelled through *bona fide* NGOs, is well targeted and properly accounted for, avoiding government agencies;
 13. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, 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, the Secretary-General and governments of the SADC and the SADC Parliamentary Forum.
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