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P8_TA(2015)0210

Zimbabwe, the case of human rights defender Itai Dzamara**European Parliament resolution of 21 May 2015 on Zimbabwe, the case of human rights defender Itai Dzamara (2015/2710(RSP))**

(2016/C 353/09)

The European Parliament,

- having regard to its previous resolutions on Zimbabwe, notably that of 7 February 2013 ⁽¹⁾,
 - having regard to the local EU statements on the abduction of Itai Dzamara of 11 March 2015 and 9 April 2015,
 - having regard to the declaration by the Vice-President of the Commission/High Representative for Foreign Affairs and Security Policy, on behalf of the EU, of 19 February 2014 on the review of EU-Zimbabwe relations,
 - having regard to Council Decisions 2014/98/CFSP of 17 February 2014 ⁽²⁾ and 2015/277/CFSP of 19 February 2015 ⁽³⁾ amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe,
 - having regard to the statement by the spokesperson for the Office of the High Commissioner for Human Rights (OHCHR) of 18 January 2013 on recent attacks on human rights defenders ahead of elections,
 - having regard to the Global Political Agreement signed in 2008 by the three main political parties, 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 ⁽⁴⁾ concerning restrictive measures against Zimbabwe,
 - having regard to the African Charter on Human and Peoples' Rights of 27 June 1981, which Zimbabwe has ratified,
 - 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 on 9 March 2015 Itai Dzamara, a prominent Zimbabwean human rights activist, leader of the Occupy Africa Unity Square movement and dissident of President Mugabe, was reportedly abducted by five unidentified armed men in the suburbs of Harare; whereas his whereabouts remain unknown and there is serious concern for his safety and the protection of his rights;
- B. whereas in the months prior to his abduction, Mr Dzamara had led a number of peaceful protests against the deteriorating political and economic situation in Zimbabwe; whereas two days before, Mr Dzamara addressed a political rally organised by the opposition party Movement for Democratic Change — Tsvangirai (MDC-T), calling for mass protests against the worsening repression and economic situation in the country, petitioning President Mugabe to resign and calling for reforms to the electoral system;

⁽¹⁾ Texts adopted, P7_TA(2013)0059.

⁽²⁾ OJ L 50, 20.2.2014, p. 20.

⁽³⁾ OJ L 47, 20.2.2015, p. 20.

⁽⁴⁾ OJ L 54, 28.2.2012, p. 20.

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- C. whereas until now the government has remained silent on Mr Dzamara's disappearance, which has raised suspicion among the public that the state might be responsible; whereas the ruling party ZANU-PF is denying his forced disappearance and denounces it as an act staged by opposition parties;
- D. whereas a High Court judgment of 13 March 2015 ordered the Zimbabwean authorities to mount a search for Mr Dzamara and report progress to the court every two weeks until his whereabouts are determined; whereas this High Court order has been ignored by the authorities responsible for acting upon it, and the state authorities have yet to comply with this ruling;
- E. whereas Mr Dzamara had been assaulted on several occasions by supporters of the ruling party ZANU-PF and uniformed police officers; whereas in November 2014 about 20 uniformed police handcuffed and beat Mr Dzamara to unconsciousness, also assaulting his lawyer, Kennedy Masiye;
- F. whereas 11 people were detained in Harare on 27 April 2015 after taking part in a procession in support of the missing Itai Dzamara; whereas the activists were arrested and held for six hours;
- G. whereas after the abduction his wife, Sheffra Dzamara, petitioned the High Court in Harare to force the police and the Central Intelligence Organisation (CIO) to search for her husband; whereas during the hearing the police and CIO denied any knowledge of Dzamara's whereabouts; whereas Sheffra Dzamara reported in early April that unidentified men were keeping her under constant surveillance and that she feared for her life;
- H. whereas the current situation in Zimbabwe as regards human rights and democracy is worsening and harassment and human rights abuses against human rights defenders, journalists and members of civil society in Zimbabwe are continuously reported;
- I. whereas the police often misuse existing laws, such as the Public Order and Security Act (POSA) and the Access to Information and Protection of Privacy Act (AIPPA), to ban lawful public meetings and gatherings;
- J. whereas freedom of assembly, association and expression are essential components of any democracy;
- K. whereas in February 2015 the EU resumed its aid to Zimbabwe, in the form of a EUR 234 million National Indicative Programme aimed at helping Zimbabwe become a more democratic and prosperous country, while the European Council has decided to uphold some of the sanctions against Zimbabwe; whereas only President Robert Mugabe, his wife and one defence company remain subject to the asset freeze and travel ban; whereas an EU arms embargo also remains in effect;
- L. whereas on 16 March 2013 a new constitution was adopted by referendum, with the stated aim of cleaning up politics, but in practice progress is slow and the human rights situation remains vulnerable;
1. Strongly condemns the forced disappearance of human rights defender Itai Dzamara and calls for his immediate and unconditional release;
 2. Urges the Government of Zimbabwe to take all necessary measures to find Mr Dzamara and bring all those responsible to justice; calls on the government to fully comply with the High Court order directing them to search for Mr Dzamara;
 3. Calls on the Zimbabwean authorities to ensure the safety and security of his wife and family, and his colleagues and supporters;
 4. Is deeply concerned at reports by human rights organisations of increasing political violence and harassment of political opposition, and at the severe restrictions and intimidation faced by human rights defenders, who are often beaten by the police and arrested on false charges; 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;

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5. Urges the Zimbabwean authorities to investigate allegations of excessive use of force and other human rights abuses by police and state officials, and to hold them to account;
 6. Recalls the overall responsibility of the Zimbabwean Government for ensuring the safety of all its citizens; calls upon the authorities of Zimbabwe to implement the provisions of the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and regional human rights instruments ratified by Zimbabwe;
 7. Recalls that under the Global Political Agreement (GPA) Zimbabwe committed to ensuring that both its legislation and its procedures and practices are in accordance with international human rights principles and laws, including freedom of assembly, association and expression;
 8. Acknowledges the establishment of the Zimbabwean Human Rights Commission, but is concerned that it has not been given any significant capacity with which to act independently and fulfil its objectives as regards the pressing human rights issues facing the country;
 9. Calls therefore for concerted action by the international community, in particular the Southern African Development Community (SADC); considers that this regional organisation has an important role to play as guarantor to the GPA, insisting inter alia on the implementation of the agreement and in particular Article 13 thereof, so as to ensure non-partisan action by the police and other security forces;
 10. Urges the Zimbabwean Government and President Mugabe to comply with their international obligations and the provisions of the international treaties that have been signed by Zimbabwe and that guarantee respect for the rule of law and the fulfilment of civil and political rights;
 11. Asks the EU to step up its political dialogue on human rights on the basis of Article 8 of the Cotonou Agreement, and notably to encourage the government to repeal or appropriately amend the Public Order and Security Act and the Access to Information and Protection of Privacy Act, in order to bring an end to their abuse;
 12. Deplores the absence of a strong and enforceable human rights clause in the interim Economic Partnership Agreement (EPA) concluded with four Eastern and Southern African (ESA) states, including Zimbabwe;
 13. Notes the lifting of sanctions decided by the EU and supports the targeted measures that currently remain in place against the President and his wife, as well as the arms embargo, which are a response to the political and human rights situation in Zimbabwe;
 14. Believes that the promotion of democracy and the protection of human rights and the rule of law are essential if Zimbabwe is to become a free and prosperous country;
 15. Calls on the EU delegation in Harare to continue to offer its assistance to Zimbabwe in order to improve the human rights situation; insists that the EU must ensure that the development funding to Zimbabwe effectively addresses the needs of the population, notably through civil society organisations, and that political and economic reforms financed by it are implemented;
 16. 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 the parliaments of the Member States, the EEAS, the Government and Parliament of Zimbabwe, the governments of the South African Development Community, the African Union Commission, the Pan-African Parliament, the ACP-EU Joint Parliamentary Assembly and the Secretary-General of the Commonwealth.
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