



Plenary sitting

B8-1080/2016

4.10.2016

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 Sudan
(2016/2911(RSP))

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on behalf of the ALDE Group

B8-1080/2016

**European Parliament resolution on Sudan
(2016/2911(RSP))**

The European Parliament,

- having regard to its previous resolution on Sudan,
 - having regard to the UN General Assembly resolution 60/251 of 15 March 2006 and the UN Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,
 - having regard to the human rights experts' report of 19 May 2014 issued under the Special Procedures of the UN Human Rights Council,
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the Universal Declaration of Human Rights of 1948 and to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,
 - having regard to the African Charter on Human and Peoples' Rights,
 - having regard to the communiqué of 13 June 2016 of the Peace and Security Council of the African Union on the situation in Darfur,
 - having regard to Arab Charter on Human Rights,
 - having regard to the Cotonou Agreement of 2000 of which the Sudan has not ratified the amended version of 2010,
 - having regard to the EU Guidelines on Freedom of Religion and Belief of 2013,
 - having regard to Sudan's national human rights plan adopted in 2013, based on the principles of universality and equality of all people,
 - having regard to the UNHRC annual report on Technical assistance and capacity building to improve human rights in the Sudan,
 - having regard to the EU intervention in the 33rd session of the UNHRC in Geneva (13-30 September 2016) during the interactive Dialogue with the Independent Expert on Sudan,
 - having regard to the Khartoum Process launched in Rome on November 2014,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas since the beginning of the armed conflict in the Darfur region in February 2003 and well before, the violence by government military, security forces and pro-government militia groups called "Janjaweed" over the citizens has never ended; whereas ethnic

cleansing has never ceased despite the deployment of multinational peacekeeping forces; whereas a first warrant for arrest for President Omar Al Bashir was issued on 4 March 2009 and a second one on 12 July 2010 by the International Criminal Court on counts of war crimes, genocide and crimes against humanity,

- B. whereas following the independence and separation of the South Sudan, the armed struggle continued in the border provinces of South Kordofan and Blue Nile, conducted by the “Sudan People’s Liberation Movement-North”, whereas the conflict has continued since 2003 in Darfur and 2011 in the other areas of South Kordofan and Blue Nile, whereas the war zones are still unstable in spite of several cease-fire and peace agreements signed between the government of Sudan and the armed rebel groups among which in Abuja (Nigeria) on 5 May 2005 and Doha (Qatar) on 14 July 2011, whereas government forces and their allied “Janjaweed” militia continue to attack villages and bomb civilian areas indiscriminately,
- C. whereas Amnesty International published on 29 September 2016 a report on the ongoing use of chemical weapons in the region of Jebel Marra in Darfur since January 2016 under the cover of fighting against the rebel factions in the area, whereas approximately 171 villages have been destroyed or damaged by these attacks since the beginning of the year, whereas between 200 and 250 people have suffered immediate deaths from the attacks, most whom accounted for are children; whereas most victims in the region have no access to healthcare or medicine; whereas the Joint African Union -United Nations peacekeeping mission (UNAMID) has been largely unable to access the most affected areas of the conflict due to Sudanese government restrictions,
- D. whereas the human rights and the rule of law has degraded in a continuous manner and the situation in the whole country has become a matter of concern, as any pretext can be used to incite harassment and repression of the people, in particular, the most common targets include members of the opposition party, human rights defenders, students and political activists, whereas large-scale protests swept Sudan in September 2013 following the announcement of austerity measures by the government, whereas Security forces and armed men tried to contain the protesters using live ammunition, tear gas and batons, whereas the authorities place the number of dead at fewer than 100, human rights groups say as many as 200 protesters were killed, many of them shot in the chest,
- E. whereas several human rights groups have criticised Sudan for failure to provide justice for that government crackdown in which in addition to the deaths, about 800 people were arrested according to a study by Amnesty International and the African Centre for Justice and Peace studies; whereas Human Rights Watch says many of those detainees were subject to torture and that many journalists and human rights activists were beaten and female protesters were sexually assaulted by security forces; whereas Sudan has established three commissions of inquiry into the violence;
- F. whereas on 26 March 2015, approximately ten plain-clothed National Intelligence and Security Service (NISS) agents raided the premises of TRACKS, during the last day of a five day training on “social responsibility and active citizenship”, whereas no search warrant was presented, and items belonging to TRACKS were confiscated, whereas on 29 February 2016, TRACKS was subject to a second office raid by NISS officers who again did not produce a warrant, the NISS referred the staff members present to the police station where they were interrogated , verbally abused, ill-treated and threatened,

- G. whereas on 22 September 2016, six human rights defenders, 4 men (Khalafalla Mukhtar Alafif, Mustafa Adam, Midhat Hamdan and Hassan Kheiry and 2 women (Arwa Elrabie and Imani-Leila Raye), affiliated with TRACKs Centre will appear before the Khartoum Central Criminal Court, charged with criminal offences including “waging war against the State” which carries the death penalty,
- H. whereas according to Christian Solidarity Worldwide and World Watch Monitor, Reverent Hassan Taour, Reverent Kuwa Shamal, Czech aid worker Petr Jasek and Darfuri graduate Abdulmonem Abdumawla are on trial facing at least seven charges including waging war against the State, whereas the Czech citizen is also charged with propagating false news; whereas one charge against the pastors is propagating news concerning churches being burned down in Khartoum and bombed in the Nuba mountains (South Kordofan) where Christians are classed as “atheists” ; whereas the hearing was adjourned for a second time until 17 October 2016 when the judge stated that the prosecution failed to be adequately prepared for the case and warned the prosecution to come better prepared next time;
- I. whereas these raids and arrest are part of a pattern by where the Sudan government has restricted the rights to freedom of expression, peaceful assembly and association, restricting and silencing free-press, using excessive and violent force against public protests, and placing unwarranted barriers on civil society organisations
1. Expresses serious concern regarding the Amnesty International report on use of chemical weapons in the Jebel Marra area; calls upon the Government of Sudan to put an end to the indiscriminate bombardments and in particular the use of chemical weapons, to observe its commitment to the Chemical Weapons Convention, outlawing the use of chemical weapons, signed by Sudan in 1999, requires the UN to promptly investigate the allegation of use of such weapons;
 2. Remains deeply concerned about the ongoing conflicts, notably in Darfur, Southern Kordofan and Blue Nile regions, and the accompanying humanitarian emergency; recalls that the war situation has generated between 200,000 and 300,000 deaths, more than 3 million internally displaced persons and about 650 000 refugees since the beginning of the conflict 2003;
 3. Denounces the systematic and excessive use of force, harassment and arbitrary arrests of humans rights defenders, student activists and others by the country’s security forces, urges the Sudanese authorities to drop all charges against them and immediately release the human rights defenders, the student activists and the clergymen as these charges appear to be part of an ongoing pattern of harassment and intimidation against civil society groups by the NISS;
 4. Calls on Sudanese authorities to guarantee the safety of all detainees and grant them access to their lawyers and family members, and release them if there are no valid legal charges consistent with international standards; emphasises the importance of an independent, impartial and accessible judiciary to enhance respect for the rule of law and the fundamental rights of the population;

5. Requires Sudanese authorities to publish the findings of the three state commission of inquiry and publicly admit to the scale of the killings during the crackdown on anti-austerity protesters on September 2013 and provide justice to its victims;
6. Takes note of the report of the Independent Expert on Sudan to the 33rd session of UNHRC, acknowledges the commitments made by Sudan in its Universal Periodic Review to end the violent repression of protestors and arbitrary detention of political activists and journalists, and to amend some of its laws to comply with international standards; requires the EU and its Member states to follow up on these commitments and ensure their implementation;
7. Urges the Sudanese authorities to ensure that humanitarian access is available and assistance is provided to internally displaced persons, allowing unfettered access by UNAMID, humanitarian agencies and NGOs to all parts of Darfur, Southern Kordofan and Blue Nile in accordance with its engagement during the Universal Periodic Review;
8. Emphasises that the State, in accordance with the Universal Declaration of Human Rights has the primary responsibility for the promotion and protection of all human rights; calls on Sudanese authorities to restore and respect human rights and fundamental freedoms under international law, including freedom of expression, freedom of assembly, freedom of religion, women and children rights to fulfil their obligations under international law;
9. Underlines the importance of peace, security and political stability for the realisation of all civil, political, economic, social and cultural rights; calls on the Government of Sudan, the opposition and rebel groups, civil society and all other relevant stakeholders to revive and implement a comprehensive peace agreement;
10. 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 Government of the Republic of Sudan, 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.