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*Plenary sitting*

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**B8-0640/2017**

14.11.2017

## **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 Freedom of Expression in Sudan, notably the case of Mohamed Zine El Abidine  
(2017/2961(RSP))

**Javier Nart, Hilde Vautmans, Izaskun Bilbao Barandica, Nedzhmi Ali, Petras Auštrevičius, Beatriz Becerra Basterrechea, Dita Charanzová, Gérard Deprez, Martina Dlabajová, Fredrick Federley, Nathalie Griesbeck, Marian Harkin, Filiz Hyusmenova, Ivan Jakovčić, Petr Ježek, Ilhan Kyuchyuk, Patricia Lalonde, Louis Michel, Urmas Paet, Maite Pagazaurtundúa Ruiz, Jozo Radoš, Frédérique Ries, Robert Rochefort, Jasenko Selimovic, Pavel Telička, Ivo Vajgl, Marietje Schaake, Johannes Cornelis van Baalen, Cecilia Wikström, Valentinas Mazuronis**  
on behalf of the ALDE Group

**European Parliament resolution on Freedom of Expression in Sudan, notably the case of Mohamed Zine El Abidine (2017/2961(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the situation in Sudan on 6 October 2016 and 16 December 2014;
  - 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;
  - having regard to the African Charter on Human and Peoples' Rights;
  - having regard to the Arab Charter on Human Rights;
  - 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 Doha Document for Peace in Darfur signed by the Sudanese government in May of 2011;
  - having regard to the EU intervention in the 33rd session of the UNHRC in Geneva from 13-30 September 2016 during the interactive Dialogue with the Independent Expert on Sudan;
  - having regard to the 'Sudan Call' declaration on the 'Establishment of a State of Citizenship and Democracy';
  - having regard to the 2017 World Press Freedom Index by Reporters Without Borders (RSF), for freedom of information;
  - having regard to the European Commission mission to Sudan by Christos Stylianides on 22-23 October 2017;
  - having regard to Rule 135 of its Rules of Procedure;
- A. Whereas on 23 October 2017 journalist Mohamed Zine El Abidine was handed a three-year suspended jail term by a Sudanese court for publishing an article accusing President Omar al-Bashir's family of corruption; whereas Sudan's powerful National Intelligence and Security Service (NISS) filed charges against Mr. Abidine in 2012 after his piece was

published that included "violating the journalism code of ethics" and threatening public order;

- B. Whereas the Sudanese government has attempted to censor the private owned newspaper *al-Tayar* many times in the past and confiscated all copies of the *al-Tayar*'s issue from February 23, 2012 and banned *al-Tayar* indefinitely in June 2012 until the Sudanese Supreme Court intervened in March 2014, allowing the newspaper to continue publishing;
- C. Whereas the NISS has attempted to censor or silence voices critical of the government and continues to do so; whereas the NISS has filed multiple lawsuits against Sudanese journalists and arbitrarily confiscated entire editions of newspapers that contain articles critical of the government; whereas the editor-in-chief of *al-Tayar*, Osman Mirgani, refused to pay a fine of 10,000 Sudanese pounds (US\$1,428) for publishing the piece written by Mohamed Zine El Abidine and so was arrested and placed in al-Huda prison for one day before a local reporters union paid his fine for him;
- D. Whereas Mr. Mirgani was assaulted by armed men who stormed his office in central Khartoum in July 2014;
- E. Whereas the seizure of entire publications due to articles deemed "red lines" by the NISS is used as a tactic to financially undermine independent newspapers as funds used to print the newspapers are irredeemably lost, making independent journalism financially perilous;
- F. Whereas the censorship of critical voices in media are part of a concerted effort by Sudanese authorities to silence any opposition; whereas this infringes upon the rights of citizens to freedom of expression and goes directly against international laws and norms and agreements signed by the Sudanese government;
- G. Whereas Sudan ranks 174th out of 180 countries in the 2017 World Press Freedom Index created by RSF due to "harassment of the media, censorship, confiscation of newspaper issues, media closures, and Internet cuts";
- H. Whereas on 8 January 2017, Sudan signed the Declaration on Media Freedom in the Arab World, then being the fourth country to sign the Declaration after Palestine, Tunisia and Jordan; whereas the State minister for media affairs noted that the government is committed to respect press freedom in Sudan;
- I. Whereas the United States in January of 2017 froze certain sanctions in place on Sudan and on 6 October 2017 announced its decision to lift some of its economic and trade sanctions; whereas US officials cited the Sudanese government's "sustained positive actions to maintain a cessation of hostilities in conflict areas in Sudan, improve humanitarian access throughout Sudan, and maintain cooperation with the United States on addressing regional conflicts and the threat of terrorism";
- J. Whereas the European Union announced "a EUR 106 million humanitarian and development support package to directly assist - through partners and outside government channels - people in Sudan affected by forced displacement, malnutrition, disease outbreaks, and recurrent extreme climatic conditions" during the European Commission mission to Sudan on 22-23 October 2017;

1. Condemns the wrongful, arbitrary sentencing of Mohamed Zine El Abidine for exercising his right to freedom of expression and calls for the immediate withdrawal of the arbitrary charges levelled against him and his editor-in-chief Osman Mirgani;
2. Expresses concern over the repressive tactics the Sudanese government uses to maintain control over the media landscape, thereby silencing critical voices and opposition;
3. Reminds the government of Sudan to its obligations to international documents concerning human rights, namely that of freedom of expression, and urges for the rights of all citizens in Sudan to be upheld and for authorities to put a stop to and condemn the harassment and arbitrary detention of journalists, censorship of publications, and confiscations of newspapers by the NISS; reminds the government of Sudan of its commitments under the Declaration on Media Freedom in the Arab World;
4. 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;
5. 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;
6. Recognizes the importance in the recent mission by Commissioner Stylianides and the conveying of well-known EU concerns to Sudanese authorities, including respect for fundamental freedoms; is encouraged by the announcing of EUR 106 million to Sudan for humanitarian and development assistance to help alleviate the humanitarian situation faced by the Sudanese people each day;
7. Makes clear that current and future dealings of the EU with Sudan should not be seen as implicitly approving of the actions of President Bashir or his government; urges the European Commission to consider freezing or halting current deals if human rights and in particular freedom of expression are not protected; underlines the importance of ensuring that democratic norms and human rights are upheld as the EU and Sudan potentially move closer to the normalization of relations and points to the value of implementing strong conditionality to current and future dealings between the two;
8. Reminds that a “cautious and step-by-step approach,” with current political and legal constraints in mind, is the best way to proceed in improving relations between Sudan and the EU and also ensuring that human rights are guarded before moving forward; is encouraged by the small, positive steps that the Sudanese government has made but argues that there is still much more room to improve concerning democratic norms and fundamental rights;
9. Expresses concern regarding the US decision to lift certain trade and economic sanctions and the possible consequences for human rights in Sudan; regrets this decision that showed the Sudanese government that increasing humanitarian access and cooperation on terrorism, while excluding human rights and democratic norms, is an acceptable way forward in normalizing relations;

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.