

Clashes in Sudan and subsequent media censorship

European Parliament resolution of 10 October 2013 on clashes in Sudan and subsequent media censorship (2013/2873(RSP))

The European Parliament,

- having regard to its previous resolutions on Sudan and South Sudan,
- having regard to the statement of 30 September 2013 by the Spokesperson of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the violence in the current protests in Sudan,
- having regard to the statement of 27 September 2013 by the Spokesperson for the Office of the UN High Commissioner for Human Rights, urging restraint as death toll in Sudan fuel protests rises,
- having regard to the report of the UN Human Rights Council Independent Expert on the situation of human rights in the Sudan, of 18 September 2013,
- having regard to the statement of 6 September 2013 by the Spokesperson of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the Summit between the Presidents of Sudan and South Sudan in Khartoum in Sudan,
- having regard to the agreed outcome of the Government of Sudan, African Union and United Nations Tripartite Coordination Mechanism meeting on UNAMID held on 28 September 2013,
- having regard to the Roadmap for Sudan and South Sudan set out in the communiqué issued by the African Union Peace and Security Council on 24 April 2012, which is fully supported by the EU,
- having regard to the 1948 Universal Declaration of Human Rights,
- having regard to the 1966 International Covenant on Civil and Political Rights,
- having regard to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,
- having regard to the Johannesburg Principles on National Security, Freedom of Expression and Access to Information, Freedom of Expression and Access to Information, UN Doc. E/CN.4/1996/39 (1996),
- having regard to the Sudanese Comprehensive Peace Agreement (CPA) of 2005,
- having regards to the African Charter on Human and Peoples' Rights,
- having regard to Partnership Agreement between the members of the African, Caribbean

and Pacific Group of States of the one part, and the European Community and its Member States of the other part, signed in Cotonou (Benin) on 23 June 2000 and revised successively in 2005 and 2010,

- having regard to its resolution of 11 December 2012 on a digital freedom strategy in EU foreign policy¹,
 - having regard to its resolution of 13 June 2013 on the freedom of press and media in the world²,
 - having regard to Rules 122(5) and 110(4) of its Rules of Procedure,
- A. whereas Sudan is experiencing increasing waves of popular protests and the political situation in the country is fragile;
- B. whereas on 23 September 2013 demonstrations and protests erupted throughout Sudan following President Omar Al-Bashir's announcement of cuts to fuel subsidies in a bid to reform the economy, which resulted in a sharp 75 % increase in the price of petrol and gas;
- C. whereas in protest thousands of demonstrators took to the streets of cities throughout the country, including Wad Madani, Khartoum, Omdurman, Port Sudan, Atbara, Gedarif, Nyala, Kosti, and Sinnar, as the austerity measures introduced by the government, together with the virtual doubling of fuel prices, hit the poor hardest;
- D. whereas the economic situation in Sudan remains extremely difficult, marked as it is by rising inflation, a weakened currency and a severe shortage of dollars to pay for imports since South Sudan gained independence two years ago, taking with it about 75 % of the formerly united country's crude oil production;
- E. whereas the lack of agreement on transitional economic arrangements between Sudan and South Sudan, including on the use of oil, has been used as a threat by both parties, contributing significantly to the current crisis; whereas the distrust between the two neighbouring countries over the division of national debt and how much the land-locked South should pay to transport its oil through Sudan is one of the unsettled issues;
- F. whereas, according to reports, at least 800 activists, including members of opposition parties and journalists, have been arrested amid ongoing demonstrations, in which up to 100 people were reportedly killed by security forces, a toll that prompted the Office of the UN High Commissioner for Human Rights (OHCHR) to call for 'utmost restraint' from law enforcement officials; whereas, according to reports, the majority of persons killed are between the ages of 15 and 25, but children as young as 10 to 12 have also been shot by security forces;
- G. whereas the education ministry has stated that schools will remain closed until 20 October 2013;
- H. whereas the violent crackdown by the Sudanese Government includes the use of live ammunition against peaceful protesters and large-scale detentions; whereas a number of

¹ Texts adopted, P7_TA(2012)0470.

² Texts adopted, P7_TA(2013)0274.

activists, opposition party members and civil society leaders, including teachers, and students, were arrested at their homes or held incommunicado, and their homes were searched by National Intelligence Security Services (NISS) agents; whereas there have been summary trials, such as that following the arrest of Majdi Saleem, a well-known human rights defender, and since the end of September, there has been an information blackout through high censorship of the print media and an internet shutdown;

- I. whereas Sudan is ranked among the worst countries in the world as regards respect for freedom of information; whereas on 25 September 2013 the NISS brought this to a whole new level by prohibiting the editors of the main newspapers from publishing any information about the protests that did not come from government sources;
- J. whereas there have been numerous violations of the freedom of the press, such as disconnection of the internet, the seizing of newspapers, harassment of journalists and the censoring of news websites; whereas the offices of Al-Arabiya and the Sky News Arabic Service television stations have been closed; whereas daily newspapers such as Al-Sudani, Al-Meghar, Al Gareeda, Almash'had Alaan, Al-Siyasi and the pro-government Al-Intibaha were banned from publication on 19 September 2013, and issues of three newspapers, including Al-Intibaha, were seized as they came off the press;
- K. whereas uncensored access to the open internet, mobile phones and ICTs have a positive impact on human rights and fundamental freedoms, by expanding the scope for freedom of expression, access to information and freedom of assembly across the world; whereas the digital collection and dissemination of evidence of human rights violations can contribute to the global fight against impunity;
- L. whereas access to the internet is a fundamental right, equal to other basic human rights, recognised by the UN Human Rights Council (UNHRC), and should be defended and maintained accordingly;
- M. whereas the state's regulatory authority has established a special unit to monitor and implement filtering, and the Sudanese authorities openly acknowledge that they filter content that transgresses public morality and ethics, or poses a threat to order;
- N. whereas on 25 September 2013 the authorities disconnected the internet throughout the country for more than 24 hours in a blackout on a scale that had not been seen since the uprisings in Egypt in 2011; whereas the internet was slowed down drastically in June 2012 during a series of protests;
- O. whereas, in the Freedom House report '2013 Freedom on the Net' released on 3 October 2013, Sudan is rated as 'not free' and ranked 63rd out of 100 countries; whereas Sudan is ranked 170th out of 179 countries in the Reporters Without Borders 2013 Press Freedom Index; whereas Reporters Without Borders has condemned measures undertaken by the government;
- P. whereas most activists rely on the use of internet to communicate with each other, transfer information out of the country and voice their opinions and concerns; whereas citizens have reported that even the text-messaging service was interrupted during the blackout;
- Q. whereas in the general election held in April 2010 – the first multiparty election held in Sudan since 1986 – Omar al-Bashir was re-elected President of Sudan; whereas the EU

Election Observation Mission, which found many irregularities and deficiencies in the electoral process, said that the election did not meet international standards;

- R. whereas two arrest warrants for President al-Bashir were issued in 2009 and 2010 by the International Criminal Court (ICC), accusing him of responsibility for war crimes, crimes against humanity and acts of genocide, and whereas, although Sudan is not a state party to the Rome Statute, UN Security Council Resolution 1593 (2005) requires it to cooperate with the ICC, and Sudan must therefore comply with the ICC arrest warrant;
 - S. whereas according to UN estimates 50 % of the population of Sudan (totalling 34 million) are younger than 15, and about 46 % of the population live under the poverty line;
 - T. whereas conflict in transitional areas of Sudan has affected over 900 000 people, including over 220 000 who have taken refuge in Ethiopia and South Sudan, and whereas since early 2013 an estimated 300 000 people have been newly displaced as a result of the fighting among tribes in Darfur;
 - U. whereas in 2012-2013 the EU has allocated more than EUR 76 million in humanitarian aid for Sudan (figure as at 20 August 2013); whereas Sudan has not ratified the 2005 revised Cotonou Agreement and cannot therefore receive financial support through the 10th European Development Fund;
1. Expresses its deep concern at the deteriorating political, economic and social situation in Sudan, marked by violence and loss of life during the protests which have recently swept through the country;
 2. Condemns the killings, the violence against demonstrators, the media censorship, the political intimidation and the harassment and arbitrary arrest of human rights and political activists and journalists;
 3. Calls on the Government of Sudan to end the harassment and immediately release all peaceful demonstrators, political activists, members of the opposition, human rights defenders, medical personnel, bloggers and journalists arrested while exercising their right to freedom of speech and assembly; stresses that all detainees must be given the opportunity for a fair trial based on a credible investigation, the right to an attorney and respect for the presumption of innocence, and that the government must allow the detainees access to their families and medical care;
 4. Deplores the use of live ammunition against protesters, resulting in unlawful killings, disproportionate force and allegations of the intentional killing of protestors by security forces; urges the Sudanese Government immediately to put a stop to the crackdown and to end the impunity enjoyed by NISS members; calls for the draconian 2010 National Security Act to be scrapped;
 5. Calls on Sudanese security forces to respect the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which set out the conditions in which force may lawfully be used without violating human rights, including the right to life;
 6. Calls on the Sudanese authorities to restore and respect human rights and fundamental freedoms under international law, including freedom of expression, both online and offline, freedom of assembly, freedom of religion, women's rights and gender equality, and to

immediately end all restrictions on access to information and communication technologies;

7. Urges the Sudanese Government to cease all forms of repression against those who exercise their right to freedom of expression, both online and offline, and to protect journalists; emphasises the role played by the media in providing citizens with information and a platform to voice their legitimate concerns, and therefore strongly condemns the blackout of 22 September 2013 and the intimidation operation led by the NISS;
8. Urges the Sudanese Government to allow its population free access to the internet at all times; stresses that access to the internet is a fundamental right, recognised by the UNHRC, which should be maintained and defended like all other human rights;
9. Calls on the Sudanese Government to continue implementing the necessary political reforms to provide solutions to the country's chronic economic mismanagement, poverty, rising levels of corruption and insecurity in the west and south, and recommends that the Sudanese authorities and all regional and international partners implement programmes for young people in order to promote education, training and employment;
10. Calls on the Sudanese authorities to engage in a genuine process of comprehensive national dialogue with the opposition, especially in Darfur; strongly urges the Governments of Sudan and South Sudan to reach an agreement on the unsolved transitional economic arrangements between the two countries, including the use of oil, which has contributed to the current unrest in Sudan;
11. Recalls the June 2008 GAERC conclusions addressing the continued failure of the Government of Sudan to cooperate with the International Criminal Court (ICC) and pointing out that the Government of Sudan has an obligation, and the capacity, to cooperate and that any arrest warrant issued by the ICC should be respected; urges Omar al-Bashir to comply with international law and to appear before the ICC for war crimes, crimes against humanity and genocide;
12. Calls on the Sudanese Government to review its National Security Act, which allows the detention of suspects for up to four-and-a-half months without any form of judicial review, and calls also on the Sudanese Government to reform its legal system in accordance with international human rights standards;
13. Calls on the Sudanese Government to repeal the death penalty, which is still in force, and to commute death sentences to appropriate alternative sanctions;
14. Calls on the authorities, while welcoming their decision to set up an investigation committee in order to bring to justice those responsible for killings, to proceed with a comprehensive, independent investigation into all reported killings;
15. Calls on the African Union, in close coordination with the special procedures of the United Nations Human Rights Council, to send an urgent commission of inquiry to investigate allegations of excessive and intentional use of lethal force by the Sudanese authorities and the circumstances leading to the deaths of protestors, including human rights defenders;
16. Calls on the Commission, as a matter of urgency, to legally restrict the export of mass surveillance technologies from the EU to countries where they are likely to be used to violate digital freedoms and other human rights;

17. Regrets the decision taken by the EU High Representative to terminate the mandate of the EU Special Representative for Sudan/South Sudan, given the severe political unrest in Sudan and armed conflicts during which Sudanese forces and government-sponsored militias continue to engage in war crimes with impunity; considers that without a designated EU Special Representative for Sudan/South Sudan the EU will be left on the sidelines of international negotiations and efforts, especially in view of the fact that the US, Russia and China all have special envoys for Sudan; calls therefore on the High Representative to reverse this decision and extend the mandate of the Special Representative for Sudan/South Sudan;
18. Instructs its President to forward this resolution to the Council, the Commission, the Government of Sudan, the African Union, the United Nations Secretary-General, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan-African Parliament (PAP).