European Parliament resolution of 15 September 2011 on Sudan: the situation in Southern Kordofan and the eruption of fighting in Blue Nile State

The European Parliament,

– having regard to its previous resolutions on Sudan,
– having regard to the Comprehensive Peace Agreement (CPA) signed on 9 January 2005,
– having regard to the Declaration of the African Union of 31 January 2011,
– having regard to the declaration by the EU and its Member States of 9 July 2011 on the Republic of South Sudan's independence,
– having regard to the statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, of 6 September 2011 on the eruption of fighting in Blue Nile State and of 26 August 2011 on the situation in Southern Kordofan,
– having regard to the conclusions of the Foreign Affairs Council of 20 June 2011,
– having regard to the statement of 26 August 2011 by Commissioner Georgieva on humanitarian access to Southern Kordofan,
– having regard to the statement of 21 June 2011 by the European Parliament's President Jerzy Buzek on the situation in Abyei and Southern Kordofan,
– having regard to the African Union statement of 20 August 2011 on the Agreement between the Government of Sudan and the Government of South Sudan on the Border Monitoring Support Mission,
– having regard to the UN Office of the High Commissioner for Human Rights’ Preliminary report of August 2011 on violations of international human rights and humanitarian law in Southern Kordofan from 5 to 30 June 2011,
– having regard to the Framework Agreement on the Political and Security Arrangements in the Blue Nile and Kordofan States signed on 28 June 2011,
– having regard to the statement of 2 September 2011 by the UN Secretary-General Ban Ki-moon urging an end to the fighting in Southern Kordofan and Blue Nile states,
– having regard to Rule 122(5) of its Rules of Procedure,

A. whereas the situation in Southern Kordofan remains tense, with fighting between the
Sudan Armed Forces (SAF) and the Sudan People’s Liberation Movement-North (SPLMNorth) and renewed fighting also erupting in Blue Nile State;

B. whereas the armed conflict between the Sudan Armed Forces and the Sudan People’s Liberation Movement in Southern Kordofan has resulted in loss of life and the displacement of thousands of people into neighbouring countries;

C. whereas on 23 August 2011, President Bashir announced a unilateral two-week ceasefire in Southern Kordofan but also announced that no foreign organisations would be allowed to operate in the region;

D. whereas on 2 September 2011, President Bashir announced the suspension of the interim Constitution in Blue Nile State and the establishment of a state of emergency following bloody clashes between Sudan’s army and forces aligned to South Sudan in the area, adding to the exodus of thousands of residents;

E. whereas the attacks perpetrated in Southern Kordofan against civilians include targeted summary and extrajudicial killings, mostly of perceived SPLM supporters, arbitrary arrests and detentions (in which connection there are concerns that detainees may be subjected to acts of torture and other inhuman and degrading treatment), house-to-house searches allegedly targeting the ethnic Nuba group, enforced disappearances, destruction of churches and looting;

F. whereas over 200 000 people are estimated to have been displaced or severely affected by the recent fighting and 5 000 people have entered South Sudan (Unity state) to flee the conflict; whereas this number may increase significantly over the coming months as fighting in the region continues;

G. whereas despite the ceasefire the Sudan Armed Forces (SAF) are indiscriminately bombing civilian areas in the Nuba Mountains region of Southern Kordofan and preventing aid from reaching displaced people;

H. whereas humanitarian agencies have not been able to obtain authorisation to work in Southern Kordofan since the conflict broke out in June and needs assessments have not been carried out; whereas the Sudanese Government rejected the request for UN peacekeepers to stay in Southern Kordofan, Blue Nile and Abyei after the south’s independence;

I. whereas South Sudanese security forces have been reported to interfere with the work of humanitarian organisations including by commandeering vehicles, committing physical assaults on relief workers and raiding the compounds of international organisations including the UN, whose officials have been denied access to many parts of Southern Kordofan, keeping them from investigating and carrying out an independent assessment mission on the ground;

J. whereas a large part of the population in the region continues to lack food, a situation which has been aggravated by the conflict, rising commodity prices and famine in the Horn of Africa;
whereas the Commission has allocated €100 million in 2011, including €11 million for the Transitional Areas, but the International South Sudan Appeal is still only 37% financed;

whereas there has been little progress on aspects of the CPA to find agreement on post-referendum negotiations on issues such as the sharing of oil revenue, border demarcation, citizenship, the division of debts and assets, and referendums in Southern Kordofan, Blue Nile and Abyei;

whereas the situation in Darfur remains a great source of concern, with the UN Mission in Darfur reporting harassment, kidnappings and general security threats by the Central Reserve Police in IDP camps;

1. Deplores the loss of life, violence, human rights abuses and lack of humanitarian access in Southern Kordofan and Blue Nile states; strongly condemns the SAF invasion of Southern Kordofan and Blue Nile states; urges all parties to immediately cease fighting and seek a political solution based on the agreement of 28 June 2011; further calls for the lifting of the state of emergency in Blue Nile State;

2. Reminds all parties of their obligations to respect international humanitarian and human rights law; demands in particular a halt to targeted summary and extrajudicial killings, arbitrary arrests and detentions, acts of torture, enforced disappearances and looting; demands furthermore a halt to Sudan’s indiscriminate aerial bombings and stresses that those believed to be responsible for any violations must be held accountable through an independent investigation by the United Nations;

3. Welcomes the African Union-brokered deal of 8 September 2011, in which both sides agreed to pull forces out of the disputed area of Abyei; calls on Sudan and South Sudan to adhere to all provisions of the 2005 Comprehensive Peace Agreement in order to promote durable peace, uphold people’s right to self-determination, respect defined borders, and ultimately pave the way for reconciliation between the two countries; reiterates the EU’s commitments to engage with Sudan and South Sudan to promote democratic governance and respect for human rights for all Sudanese people;

4. Demands that all sides allow humanitarian agencies to have immediate, unhindered access to all those in need free from intimidation and violence; firmly underlines the obligation to protect civilians and humanitarian workers; is concerned that only government-controlled bodies and local aid workers can distribute humanitarian assistance, while stocks and supplies of basic items are running out;

5. Is concerned about the reports of government attempts to force displaced persons to return to areas where their lives and safety could be at risk; calls for respect for the rights of internally displaced persons;

6. Calls on the Commission, EU Member States and the international community to honour their funding commitments to the region, particularly to address severe shortages of food aid, emergency shelter and protection; calls for close attention to the food security situation and measures to be put in place should the situation worsen; is of the opinion that additional assistance might be needed to overcome the looming threat of a new large-scale humanitarian crisis in the region;
7. Calls on the international community, underlining its support for the efforts of the African Union High-Level Implementation Panel on Sudan, under the leadership of Thabo Mbeki, and with the involvement of the Arab League, to facilitate negotiations between the parties to the CPA, and the efforts of the UN Secretary-General’s Special Representative for Sudan;

8. Is deeply concerned about the reported increased use of landmines in the region; recalls its firm opposition to the use of mining and demands that such activity stop immediately;

9. Calls on the African Union to strengthen its cooperation with the ICC in order to promote awareness of, and uphold respect for, human rights throughout Africa; requests that an end be put to impunity for all crimes perpetrated during the war in Sudan, and hopes that President Omar al-Bashir will soon be tried in The Hague as part of the necessary re-establishment of justice, the rule of law and justice for victims;

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 UN Security Council and Secretary-General, the EU Special Representative to South Sudan, the Government of Sudan, the Government of South Sudan, the African Union institutions and the Chair of the African Union High-Level Panel on Sudan, the ACP-EU Joint Parliamentary Assembly and the governments of the EU Member States.