

# EUROPEAN PARLIAMENT

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B6-0127/2009 }  
B6-0128/2009 }  
B6-0130/2009 }  
B6-0131/2009 }  
B6-0132/2009 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

- Charles Tannock, José Ribeiro e Castro, Jürgen Schröder, Laima Liucija Andrikienė, Colm Burke, Filip Kaczmarek, Bernd Posselt, Tunne Kelam, Eija-Riitta Korhola and Mario Mauro, on behalf of the PPE-DE Group
- Pasqualina Napoletano, Alain Hutchinson and Josep Borrell Fontelles, on behalf of the PSE Group
- Thierry Cornillet, Marco Cappato, Marios Matsakis and Frédérique Ries, on behalf of the ALDE Group
- Eoin Ryan, Adam Bielan, Mieczysław Edmund Janowski, Ewa Tomaszewska, Hanna Foltyn-Kubicka, Konrad Szymański, Dariusz Maciej Grabowski and Inese Vaidere, on behalf of the UEN Group
- Margrete Auken and Frithjof Schmidt, on behalf of the Verts/ALE Group

replacing the motions by the following groups:

- PPE-DE (B6-0127/2009)
- PSE (B6-0128/2009)
- ALDE (B6-0130/2009)
- UEN (B6-0131/2009)
- Verts/ALE (B6-0132/2009)

on expulsions of NGOs from Darfur

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## European Parliament resolution on expulsions of NGOs from Darfur

*The European Parliament,*

- having regard to the Declaration by the Presidency on behalf of the European Union following the ICC decision concerning the arrest warrant against Sudan's President Omar Hassan Al- Bashir on 6 March 2009,
  - having regard to Commissioner Louis Michel's statement of 5 March on the expulsion of humanitarian NGOs from Sudan,
  - having regard to its previous resolutions on the situation in Sudan/Darfur, expressing in particular its continuing support for the ICC,
  - having regard to the Rome Statute of the International Criminal Court (ICC) and its entry into force on 1 July 2002,
  - having regard to the adoption of UN Security Council Resolution 1593 on 31 March 2005, referring the situation in Darfur to the ICC,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas on 4 March 2009 the ICC's Pre-Trial Chamber issued an arrest warrant against Sudan's President Omar Hassan Al- Bashir in connection with alleged crimes against humanity and war crimes in Sudan's conflict-ridden province of Darfur,
- B. whereas, as a reaction to the ICC decision, the Sudanese Government decided to expel 13 leading non-governmental organisations from Darfur,
- C. whereas aid agencies in Darfur are running the largest humanitarian operation in the world; whereas the United Nations reports that up to 4.7 million people, including 2.7 million internally displaced persons, are in need of assistance,
- D. whereas the expulsion of the aid agencies could lead to increased mortality and morbidity resulting from the interruption of health services and outbreaks of infectious diseases, such as diarrhoea and respiratory infections; whereas the consequences of the expulsion may include declining immunisation coverage and increasing mortality among children if they do not have access to therapeutic feeding and nutrition services,
- E. whereas the organisations have been expelled at a time when their services are vitally needed, particularly as there is currently a meningitis epidemic in West Darfur; whereas the expulsion will leave sufferers with extremely limited or no access to medical treatment,
- F. whereas the UN's 'Responsibility to Protect' doctrine provides that where national authorities manifestly fail to protect their populations, others have a responsibility to provide the protection needed,
- G. whereas the Government of Sudan, as a member of the United Nations, is obliged to
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cooperate with the ICC by virtue of Resolution 1593 (2005), which the Security Council adopted under its Chapter 7 powers,

- H. deeply dismayed by the fact that, since the issuing of the arrest warrant, the Government of Sudan has repeatedly refused to cooperate with the ICC and has indeed multiplied its acts of defiance towards the ICC and the international community,
1. Strongly condemns the expulsion of 13 humanitarian aid agencies from Khartoum in response to the international arrest warrant issued by the ICC against Sudanese President Omar Al-Bashir on 4 March 2009;
  2. Reiterates its full support and respect for the ICC and its key role in the promotion of international justice, ending the climate of impunity for crimes against humanity and war crimes, and respect for international humanitarian law, and also in the light of its decision to issue an arrest warrant against Sudan's President Omar Hassan Al- Bashir in connection with alleged crimes against humanity and war crimes in Darfur,
  3. Is very concerned at the immediate impact of the expulsions on the provision of the humanitarian aid that is vital to hundreds of thousands of people;
  4. Demands that the Government of Sudan immediately reverse its decision to expel the 13 aid agencies and allow them to continue their essential work in ensuring the survival of vulnerable populations in Darfur; calls on the Council and Commission to step up their efforts vis-à-vis the African Union, the Arab League and China to prevail upon the Sudanese Government to do so;
  5. Calls on the UN Human Rights Office and the ICC, should Sudan fails to reverse its decision to expel the aid agencies, to determine whether this decision violates fundamental human rights and could constitute a war crime;
  6. Calls on the ICC Prosecutor to make it clear that if there is violence against peacekeepers, humanitarian agencies or the camps in Darfur, the ICC will investigate those responsible, who will risk joining Al-Bashir as indicted war criminals;
  7. Calls on the Sudanese Government to take positive steps to ensure that human rights defenders in Sudan are not persecuted if they speak favourably of the ICC decision and to refrain from any harassment or intimidation of human rights defenders;
  8. Instructs its President to forward this resolution to the Council, the Commission, the EU Special Representative for Sudan, the Government of Sudan, the governments of the Member States and the members of the UN Security Council, the African Union institutions, the Arab League institutions and the ICC Prosecutor.