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## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Renate Sommer, Nirj Deva, Eija-Riitta Korhola, Charles Tannock, Bernd Posselt

on behalf of the PPE-DE Group

on Human Rights in Sudan

**European Parliament resolution on Human Rights in Sudan**

*The European Parliament,*

- having regard to Rule 115 of its Rules of Procedure,
- A. whereas the Republic of Sudan is signatory to the human rights clause of the Cotonou Agreement<sup>1</sup> and to the International Covenant on Civil and Political Rights<sup>2</sup>,
- B. whereas the court headed by Judge Hatim Abdurrahman Mohamed Hasan sentenced to death by stoning Ms. Amouna Abdallah Daldoum (23 years old) and Ms. Sadia Idries Fadul (22 years old from Tama tribe, Darfur), on 6 March 2007 and 13 February 2007 respectively, for committing adultery,
- C. whereas stoning is a cruel and inhuman punishment and where severe punishment of adultery violates the basic human rights and international obligations subscribed to by Sudan,
- D. whereas these two convictions are apparently legally sound under Sharia law applied in Sudan,
- E. whereas according to a letter sent by the Embassy of the Republic of the Sudan in Brussels, the Court has quashed the sentence to death because Ms Daldoum and Ms Fadul were not provided the "the necessary legal advocacy" and will review the case "in the light of the appeal court legal remarks",
- F. whereas the European Parliament has repeatedly condemned the power of local courts under Sharia law to sentence women to lapidation (stoning to death),
- G. whereas the Criminal Court of Nyala in South Darfur sentenced to death by hanging Mr Zakaria Mohamed and Mr Ahmed Abdullah Suleiman, both aged 16, on 3 May, on murder and robbery charges,
- H. whereas Sudan has ratified the UN Convention on the Rights of the Child, under which it has undertaken not to carry out executions of anyone under 18 years of age,
- I. whereas the African Charter on Human and Peoples' Rights, ratified by the Republic of Sudan, includes the right to life and the prohibition of torture and cruel, inhuman or degrading punishment and treatment, but whereas the death penalty, flogging, amputation and other corporal punishments are still being carried out for a number of criminal sentences,

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<sup>1</sup> 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 on 23 June 2000

<sup>2</sup> UN General Assembly resolution 2200A (XXI) of 16 December 1966

J. whereas the European Commission announced on March 2007 an additional €45 million in humanitarian aid to Sudan (making a total of €85 for 2007 so far) demonstrating the EU's commitment to the people of Sudan,

1. Calls on the Commission, the Council and the Member States,
  - a) to strongly protest the death sentences passed on Ms Amouna Abdallah Daldoum and Ms Sadia Idries Fadul;
  - b) to welcome the quashing of the death sentence - if indeed it is confirmed by the Court itself;
  - c) to put pressure on the government of Sudan to guarantee the physical and psychological integrity of Ms Amouna Abdallah Daldoum and Ms Sadia Idries Fadul and to ensure they are given a prompt and fair appeal trial in which their procedural rights are guaranteed at all times;
  - d) to strongly protest the death sentences passed on Mr Zakaria Mohamed and Mr Ahmed Abdullah Suleiman;
  - e) more generally, to condemn the use of death penalty, flogging and other corporal, cruel or degrading punishments, to promote the right to life and the prohibition of torture and cruel, inhuman or degrading punishment and treatment and to promote women's rights in their relations with the Sudanese authorities, including the right of women and girls to be free from discrimination and violence, in line with the international laws and standards;
  - f) to promote respect for human rights and fundamental freedoms in their relations with the Sudanese authorities, including compliance with national laws and international human rights standards, such as the International Covenant on Civil and Political Rights, to which Sudan is a State Party since 1986, the UN Convention on the Rights of the Child, to which Sudan is a State Party since 1990, and the human rights clause of the Cotonou Agreement, which Sudan signed in 2005;
2. Demands that the government of Sudan legally revise its judicial system accordingly and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty.<sup>1</sup>
3. Deplores that the punishment for adultery under the Sharia law to a large extent falls on women, as there is rarely sufficient evidence to convict a man, whereas a pregnancy is considered evidence enough to convict the woman;
4. Considers that Sharia law should never apply to persons who are not of Moslem faith, nor should it be applied in Khartoum, that aspires to be the capital of the whole Sudanese people;

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<sup>1</sup> UN General Assembly resolution 44/128 of 15 December 1989

5. Calls on the Government of Sudan to accede to the protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, as well as to the Protocol of the Court of Justice of the African Union, both adopted in Maputo, Mozambique on 11 July 2003;
6. Instructs its President to forward this declaration, together with the names of the signatories, to the Council, the Commission, and the President of the Republic of Sudan.