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Plenary sitting

16.12.2014

B8-0392/2014

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 Sudan, the case of Dr. Amin Mekki Medani
(2014/3000(RSP))

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on behalf of the S&D Group

B8-0392/2014

European Parliament resolution on Sudan, the case of Dr. Amin Mekki Medani (2014/3000(RSP))

The European Parliament,

- having regard to its previous resolutions on Sudan
- 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 EU delegation to Sudan’s statement on the release of political prisoners of 15 July 2014,
- having regard to the EU Foreign Affairs Council Meeting conclusions on Sudan of 11 November 2014,
- having regard to the UNHRC Report of the Independent Expert on the situation of human rights in the Sudan of 4 September 2014,
- having regard to the Agreements on the National Dialogue and Constitutional Process signed in Addis Ababa on 4 September 2014,
- having regard to the “Sudan Call” declaration on the “Establishment of a State of Citizenship and Democracy”,
- 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 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 the Cotonou agreement,
- having regard to the Rule 122 (5) of the Rules of Procedure

- A. Whereas on 6 December 2014, the Sudanese National Intelligence and Security Services (NISS) arrested Dr. Amin Mekki Medani, a renowned human rights activist, and President of the Sudan Human Rights Monitor (SHRM) from his house in Khartoum.
- B. Whereas there is serious concerns for the safety of Dr. Medani, who is 76 years of age and of poor health; whereas the NISS allegedly refused to allow him to take his medication with him when he was arrested.
- C. Whereas Dr. Medani represents a strong commitment to human rights, humanitarianism and the rule of law, having held high level positions with a range of different national and international institutions, including with the Sudan judiciary, the democratic transitional government of Sudan, as cabinet minister for peace and the United Nations.
- D. Whereas Dr Medani was arrested shortly after his return from Addis Ababa having signed the “Sudan Call” on behalf of civil society organisations – a commitment to work towards the end of the conflicts raging in different regions of Sudan and towards legal, institutional and economic reforms.
- E. Whereas the declaration, which commits signatories to end wars and conflicts was signed by representatives from political and opposition parties, including the National Umma Party, the National Consensus Forces and the Sudan Revolutionary Front.
- F. Whereas Dr Medani's arrest is representative of the repressive policies exercised by Sudanese authorities to prevent legitimate peaceful political debate, which it has used to restrict freedom of opinion, expression and association and is yet another example of unlawful arbitrary detention exercised by the NISS.
- G. Whereas Sudan is at a critical period of political dialogue for which figures such as Dr. Medani are very much needed to bring their expertise in the reform process.
1. Strongly condemns the arbitrary arrest and detention of Dr. Medani as an unlawful breach of his peaceful and legitimate political and human rights activities; calls for his immediate and unconditional release;
 2. Calls on the Sudanese authorities to put an end to all acts of harassment and intimidation against human rights defenders and to comply with the relevant international norms and standards, in particular the United Nations (UN) Declaration on Human Rights Defenders, and regional and international human rights instruments ratified by Sudan;

3. Stresses that Dr Medani and all other political 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. Calls on the Sudanese authorities to restore and respect human rights and fundamental freedoms under international law, including freedom of expression, freedom of assembly, freedom of religion, women's rights and gender equality;
5. 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;
6. Welcomes the signing of the Agreements on the National Dialogue and Constitutional Process urging all groups to renounce violence as a means for political change and committing to national dialogue and negotiation without delay; Stresses that the National Dialogue process, which is the best opportunity to make progress towards national peace, reconciliation and democratic governance in Sudan;
7. Reiterates, in line with the National Dialogue, that there should be meaningful dialogue with participation of the opposition parties as well as civil society, including women's groups. The dialogue should include stakeholders from all of Sudan's regions and reflect the full ethnic, religious and cultural diversity of Sudan;
8. Encourages all parties to address Sudan's internal conflicts, issues such as socio-economic marginalisation, unequal distribution of resources, political exclusion and lack of access to public services through the National Dialogue including identity and social equality of all groups; In this context supports new and inclusive governance arrangements, a definitive constitution and a roadmap for the holding of national elections;
9. Underlines that the National Dialogue will only succeed if carried out in an atmosphere where freedoms of expression, of media, of association and assembly are guaranteed. Therefore calls for all political prisoners to be released, and practices of arbitrary detention immediately stopped; Calls on the Sudanese Government to repeal the death penalty, which is still in force, and to commute death sentences to appropriate alternative sanctions;
10. Calls on the Commission and EEAS to continue its support for dialogue between Sudan and South Sudan and neighbouring countries to implement the 2005 Comprehensive Peace Agreement in full and the 2012 Addis Agreements and to address any outstanding issues;

11. Calls on the Commission and EEAS to support the National Dialogue, African Union High Level Implementation Panel (AUHIP) and the Joint UN-African Union Special Representative in Darfur, and commends President Mbeki for his efforts to promote a genuine National Dialogue;
12. Similarly calls on all international stakeholders to support the AUHIP to create a comprehensive platform for the facilitation of the National Dialogue that will integrate the different peace and dialogue processes for Sudan's regional conflicts;
13. Reiterates that the only long-term solution is a political one and, in that sense, supports the efforts of the Inter-Governmental Authority on Development and the African Union to promote an inclusive dialogue towards peace and reconciliation;
14. Calls on the Government of Sudan, the opposition and the armed movements to use the momentum of the National Dialogue to demonstrate the leadership necessary to put Sudan on a path to peace, prosperity and justice. Once again underlines the importance of fighting impunity;
15. Expresses concern about the worsening humanitarian situation in numerous regions of Sudan and in particular access restrictions still imposed for international humanitarian agencies and organisations. Once again calls on the Government of Sudan, as well as on armed movements to guarantee safe, timely and unhindered humanitarian access to all areas by humanitarian agencies, in particular in conflict-affected areas in line with international humanitarian principles;
16. Denounces the government's NGO bill, which restricts the ability of NGOs to deliver much-needed humanitarian relief to Sudan and compounding the already difficult circumstances NGOs face in the country – an increasingly worrying trend of harassment and interference targeting humanitarian workers, as well as crackdowns on civil society and democratic freedoms;
17. Calls on the EU and its Member States to continue its commitment to supporting Sudan and the Sudanese people in their transition to an internally reformed democracy through;
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).