



Plenary sitting

B8-0636/2017

14.11.2017

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, notably the case of Mohamed Zine El Abidine
(2017/2961(RSP))

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on behalf of the EFDD Group

B8-0636/2017

**European Parliament resolution on Sudan, notably the case of Mohamed Zine El Abidine
(2017/2961(RSP))**

The European Parliament,

- having regard to its previous resolutions on Sudan, notably the one of 17 July 2014¹⁸ December 2014, 9 July 2015 and 6 October 2016,
 - having regard to the declaration by the High Representative on behalf of the EU on the occasion of the International Day to End Impunity for Crimes against Journalists on 2 November 2017,
 - having regard to the EU, Norway, US and Canada Joint Statement on Political Detentions and Newspapers' Censorship in Sudan of 7 December 2016,
 - having regard to the EEAS Statement of 11 October by the Spokesperson on easing of US sanctions on Sudan,
 - having regard to the Universal declaration on Human Rights,
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the African Charter on Human and Peoples' Rights,
 - having regard to the outcome document of the Universal Periodic Review (UPR) of Sudan of 21 September 2016 by the UN Human Rights Council,
 - having regard to the Report of 4 August 2016 by the UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, on his mission to the Sudan,
 - having regard to the Report by the UN Human Rights' Council Independent Expert on the situation of human rights in the Sudan, of 27 July 2017,
 - having regard to the statement of the United Nations Independent Expert on the situation of human rights in Sudan, Aristide Nononsi, following his mission to Sudan 11-21 May 2017,
 - having regard to the Kampala declaration of the Pan African Conference on Freedom of Expression and Access to Information of 26 March 2017,
 - having regard to the Cotonou agreement,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas, on 23 February 2012, Mohamed Zine al-Abidine published in the al-Tayar newspaper an article denouncing the corruption of some people President Al-

Bashir's family, of the ruling National Congress Party, and of the Sudanese Government;

- B. whereas, in response, the Sudanese National Intelligence and Security service (NISS) detained Zeinelabdeen for one month and al-Tayar was closed for a short period;
- C. whereas in June 2012 year, the NISS suspended the newspaper again and the Journal was allowed to resume publication after almost two years;
- D. whereas, following the publication of this article, the NISS charged Mohamed Zine al-Abidine and the editor-in-chief of the al-Tayar newspaper, Osman Mirgani with criminal conspiracy, inciting unrest among disciplined forces, disturbing the public order, and provoking hatred against or amongst religious denominations;
- E. whereas, on 23 October 2017, a Sudanese court convicted them for all the charges;
- F. whereas in particular Mohamed Zine al-Abidine has been sentenced to a three-year suspended sentence with a five year probation period on charges of having violated the journalism code of ethics;
- G. whereas the Editor-in- Chief of the al-Tayar newspaper, Osman Mirgani, was sentenced to pay a fine of 10,000 Sudanese pounds, or serve a six months prison sentence, on the same charges, and has been put to prison and then released after the fine was paid by the Sudanese journalists' union;
- H. Whereas Sudan's National Intelligence and Security Service (NISS) has repeatedly confiscated the newspaper and filed multiple lawsuits against its journalists;
- I. Whereas since May 2017, there has been a notable increase in free speech violations by the NISS, including seizures of newspaper, arbitrary arrests and intimidating acts;
- J. Whereas under Sudan's 2010 National Security Act, the National Intelligence and Security Services (NISS) is allowed to detain suspects for up to four and a half months without any form of judicial review;
- K. whereas in the 2017 World Press Freedom Index of Reporters without Borders, Sudan is ranked amongst the least free countries, at 174 out of 180;
- L. whereas free, independent and impartial media constitute one of the essential foundations of rule of law;
- M. Whereas Sudan has been for years an authoritarian state repressing the opposition, limiting the freedom of the press and targeting civilians at a massive scale in internal conflicts;
- N. 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,

- O. Whereas Sudan has signed but not ratified the 2005 revised version of the Cotonou agreement, being the non-ratification essentially motivated by the fact that the 2005 revised version of the Cotonou agreement contains clauses about cooperation with the International Criminal Court;
- P. Whereas the EU has reengaged with Sudan in the framework of the EU-Horn of Africa migration route initiative, the so-called Khartoum process and it is currently implementing migration projects with Sudan, with a clear aim of supporting Sudanese security forces in reducing migration flows to Europe;
1. Expresses its deep concern over the sentencing by the Sudanese Court of Mohamed Zine al-Abidine and Osman Mirgani and calls on the Sudanese authorities to immediately review all charges against them;
 2. Calls for dropping all charges against journalists and editors who have just used their right to freedom of expression;
 3. Denounces the ongoing violation of the freedom of expression in Sudan, the increased crackdown on the media by the NISS the censorship and seizures of newspapers, the increased restrictions on journalists from freely expressing their opinion in Sudan and their harassment;
 4. Urges Sudanese authorities to bring an immediate end to all forms of harassment, intimidation and attacks on journalists and to bring the powers and methods of the NISS in line with international standards;
 5. Urges the Sudanese authorities to undertake democratic reforms as a means for ensuring the protection and promotion of human rights in the country and the exercise of political and civil rights and fundamental freedoms including freedom of expression;
 6. Calls on the Sudanese government to review its National Security Act, which allows the detention of suspects for up to four and half months without any form of judicial review;
 7. Calls also on the Sudanese government to reform its legal system in accordance with international human rights standards;
 8. Is concerned about the detention, apparently without charge, of a number of political leaders either in anticipation of protests or having protested government economic moves;
 9. Urges the government of Sudan to ensure that human rights defenders, humanitarian workers, members of political opposition, journalists, students and other civil society actors are not intimidated, arrested and detained arbitrarily, ill-treated or tortured by State agents on account of their work or opinions, and proceed to the release of those who are currently detained;
 10. Is concerned that EU and individual Member States' cooperation with Sudan on

migration will divert the EU's attention from human rights matters, while at the same time reinforce the regime, in particular given the risk that security instruments can be used to control the opposition, the civil society and journalists;

11. Invites the EU and its Member States to provide support civil society organizations with technical assistance and capacity-building programmes to improve their human rights advocacy and rule-of-law capabilities and to enable them to contribute more effectively to the improvement of human rights in the Sudan;
12. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, the Pan African Parliament, the African Union, the Government of Sudan and the Secretary-General of the United Nations;