



Plenary sitting

B8-0639/2017

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 Freedom of expression in Sudan, notably the case of Mohamed Zine El Abidine
(2017/2961(RSP))

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on behalf of the S&D Group

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

The European Parliament,

- having regard to its previous resolutions on Sudan, in particular that of 6 October 2016,
 - having regard to the Joint Statement of 7 December 2016 by the EU, the representatives of the Troika (Norway, the United Kingdom and the United States) and eight Member States on political detentions and newspapers’ censorship in Sudan;
 - having regard to Statement by the Spokesperson of the Vice-President of the European Commission/High Representative for Foreign Affairs and Security Policy (VP/HR) of 11 October 2017 on easing of US sanctions on Sudan;
 - having regard to the Declaration by the High Representative on 31 October 2017 on the International Day to End Impunity for Crimes Against Journalists;
 - having regard to the Sudanese National Security Act of 2010;
 - having regard to the Sudanese Press and Publications Act of 2009;
 - having regard to the Sudanese Freedom of Information Law of 2015;
 - having regard to the “Sudan Call” declaration on the “Establishment of a State of Citizenship and Democracy”;
 - having regard to the United Nations Periodic Review of 21 September 2016,
 - having regard to the reports of 27 July 2017 and 28 July 2016 of the UN Independent Expert on the situation of human rights in Sudan;
 - having regard to the EU Guidelines on Freedom of Expression Online and Offline;
 - having regard to the Cotonou Agreement;
 - having regard to the African Charter on Human and People’s Rights of 1981;
 - having regard to the Universal Declaration of Human Rights (UDHR) of 1948,
 - having regard to the International Covenant on Civil and Political Rights of 1966,
 - having regard to Rules 135 of its Rules of Procedure,
- A. whereas President Omar al-Bashir has been in power since 1989 and Head of State of Sudan since 1993; whereas there is continuing repression of human, civil and political rights in Sudan;

- B. whereas freedom of expression is severely restricted, in particular through the seizure of publications, suspension of newspapers, and harassment, intimidation and arrest of journalists; whereas Sudan ranks 174th out of 180 countries in the Reporters Without Borders World Press Freedom Index;
- C. whereas ongoing abuses by the National Intelligence and Security Service with its broad powers of arbitrary arrest, detention and ill-treatment/torture of political detainees, students, activists and journalists remains persistently on the increase;
- D. whereas in 2012 the writer Mohamed Zine al Abdine criticised President Bashir in an article published in the newspaper Al-Tayar, and as a consequence the newspaper was suspended by the government for 2 years and Mohamed Zine al Abdine was arrested and detained for two weeks in 2012;
- E. whereas in October 2017 the case was re-opened when the National Intelligence and Security Service took al Abdine and the editor of Al-Tayar, Osman Mirgani, to court; whereas al Abdine received a three-year suspended sentence and Mirgani was ordered to pay a US\$ 1400 fine or serve a six-month jail sentence;
- F. whereas Mirgani refused to pay the fine and was subsequently jailed; whereas the Sudanese Journalists' Union paid the fine and he was released after one night in prison;
- G. whereas this case occurred in the context of widespread restrictions on the Sudanese press; whereas in 2016 there were at least 44 occurrences of confiscated publications affecting 12 newspapers, including 5 issues of Al Jazeera newspaper in one week; whereas on 14 August 2016 the National Council for Press and Publications indefinitely suspended the publication of Elaf, Al-Mustagilla, Al Watan and Awal Al Nahar newspapers;
- H. whereas freedom of association is restricted in Sudan and political activists, members of civil society, students and human rights defenders face harassment, intimidation and arbitrary arrest; whereas the Sudanese National Security Act gives government agencies broad powers to arrest and detain members of civil society; whereas journalists are routinely arrested and interrogated by the National Intelligence and Security Service and the National Council for Press and Publications;
- I. whereas in July 2017 the journalist Abdellatif Eldaw was detained by the NISS after reporting on protests by teachers; whereas journalist Amal Habani was detained, beaten and sentenced during reporting on a trial of civil society activists;
- J. whereas the UN report of the Independent Expert on the situation of human rights in Sudan noted in July 2017 that the NISS censorship of the Al-Jazeera newspaper contravened the Interim National Constitution of Sudan;
- K. whereas the African Charter on Human and People's Rights, which Sudan has ratified, includes the rights to express and disseminate opinions and the right to free association;
- 1. Expresses concern at the continuing restrictions on freedom of expression in Sudan;

2. Strongly condemns the harassment, intimidation and violence against journalists and expresses solidarity;
3. Recalls freedom of expression and an independent press is an essential element of a democratic state and for the protection of human rights;
4. Regrets the continued pre- and post- publication censorship of newspapers by government agencies; notes that holding government policies and politicians to account in the public domain should not result in repression of the free press; further notes with concern the long-term financial restrictions placed on newspapers as a result of routine seizures and suspensions of operations;
5. Condemns the re-opening of the case of Mohamed Zine al Abdine and the al-Tayar newspaper in October 2017; considers the suspended sentence of al Abdine and jailing of al-Tayar editor Osman Mirgani to be politically-motivated;
6. Calls on the Government of Sudan to cease, arbitrary arrest, detention and sentencing of journalists and newspaper editors, and allow the functioning of a free and independent press to operate without government seizures and censorship;
7. Urges the Government of Sudan to ensure freedom of expression and freedom of assembly rights are upheld for civil society organisations, human rights defenders, opposition members and students, in accordance with its obligations under the Interim National Constitution of Sudan and its international commitments including the Cotonou Agreement;
8. Notes with concern the proposed Press and Printing Act of 2017 which includes further controversial restrictions to online publications and provisions for lengthier suspension of newspapers and journalists; encourages the Government of Sudan to amend the Press and Publication Act 2009 in order to provide more protection to journalists and newspaper publishers;
9. Encourages the Government of Sudan to reform the Criminal Act of 1991 to eliminate undue restrictions on the right to freedom of expression and association;
10. Calls on the European Commission, EEAS, EU delegation and Member States to continue raising these issues with Sudan, to provide support and protection to journalists at risk and to continue dialogue with the government and civil society organisations on freedom of expression and the protection of journalists in Sudan;
11. Instructs its President to forward this resolution to the Government and Parliament of Sudan, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the Governments and Parliaments of the EU Member States, the African Union, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, and the Pan-African Parliament.