



Plenary sitting

B8-0265/2018

29.5.2018

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 situation of Noura Hussein Hammad
(2018/2713(RSP))

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on behalf of the ECR Group

B8-0265/2018

**European Parliament resolution on Sudan, notably the situation of Noura Hussein Hammad
(2018/2713(RSP))**

The European Parliament,

- having regard to its previous resolutions on Sudan, particular those of 6 October 2016, 16 November 2017 and 12 March 2018,

- having regard to the statement of the United Nations Women, jointly issued with the United Nations Population Fund and the UN Office of the Special Advisor on Africa,

- having regard to the European Joint Local Statement on the Case of Noura Hussein of 15 May 2018,

- having regard to the United Nations 1948 Universal Declaration of Human Rights, in particular Article 16 stating that marriage shall be entered into only with free and full consent of the intending spouses,

- having regard to the International Covenant on Civil and Political Rights,

- having regard to the United Nations Human Rights Council Resolution of June 2017 on child, early and forced marriage in humanitarian contexts,

- having regard to the African Charter on Human and Peoples' Rights,

- having regard to the Cotonou Agreement,

- having regard to its Subcommittee on Human Rights (DROI) mission to Sudan in December 2017,

- having regard to The Interim National Constitution of the Republic of Sudan,

- having regard to the Sudanese Criminal Act of 1991,

- having regard to the Sudanese Personal Status Act of 1991,

- having regard to Rule 135 of its Rules of Procedure,

A. whereas Sudan is a country where girls are allowed to get married at the age of 10,

B. whereas there exists a legal guardianship of men over women,

C. whereas Noura Hussein Hammad, who was forced by her family to marry her husband, was sentenced to death for killing her husband who allegedly raped her,

D. whereas according to Hussein's testimony, she used a knife to defend herself; whereas a medical examination conducted on Noura Hussein indicated that she also sustained injuries as a result of the scuffle between her and her husband,

E. whereas the Court convicted Hussein of premeditated murder and officially sentenced her to death by hanging,

F. whereas, as of May 2018, almost 1 million people signed a petition 'Justice for Noura',

G. whereas Amnesty International issued a statement, according to which Noura Hussein Hammad is a victim and the sentence against her is 'an intolerable act of cruelty',

H. whereas the case of Noura Hussein Hammad highlights the failure of the Sudanese authorities to tackle child marriages, forced marriage and marital rape,

I. whereas various international charters and laws prohibit the marriage of minors; whereas child, early and forced marriage has a very negative impact on the personal development of the individuals concerned and on the children resulting from marriage, and is recognised as child abuse, domestic abuse, a form of violence against both women and men, and ultimately a serious abuse of human rights,

J. whereas child marriages are a violation of the rights of the child and a form of violence against girls, and whereas, as such, they must be condemned, whereas early and forced marriages are often associated with domestic violence, physical, psychological, emotional, financial, and sexual abuse, including being assaulted and raped,

H. whereas despite 2015 amendments to the Sudanese criminal law, judicial authorities don't recognize marital rape as a crime.

1. Expresses its deep concern regarding an ongoing pattern of abuse of human rights in Sudan and a lack of progress in re-engagement with the international community,
2. Condemns the unfair use of death penalty in Sudan, in particular the last conviction of Noura Hussein Hammad, who was forced to get married and was allegedly raped by her husband,
3. Urges the Sudanese authorities to rescind the death penalty against Noura Hussein Hammad and provide her a fair and impartial trial, taking into consideration her mitigating circumstances and special conditions of the case,
4. Calls on the Sudanese authorities to bring its national legislation into conformity with Sudan's international human right commitments,
5. Calls on Sudanese legislators to consider raising the minimum age for marriage and to provide themselves with the administrative, legal and financial means to be able to comply with this requirement,
6. Calls on the Sudanese authorities to amend the criminal law to criminalize marital rape clearly,
7. Welcomes the African Union's ongoing campaign to end child marriage,
8. Calls on the EU and its Member States to consider supporting and strengthening protection measures in third countries, such as safe shelters, and access to legal, medical, and where necessary consular support, for those victims of child, early, and forced marriage,
9. Calls on the EU and its Member States to work in partnership with regional and global bodies, including the United Nations, with a view to eliminating child, early and forced marriage worldwide and addressing associated issues of honour-based violence,
10. Restates its demands that Sudanese President Omar al-Bashir complies with international law in accordance with the conventions and treaties to which it is party, and supports the role of the International Criminal Court in pursuing the charges of war crimes, crimes against humanity and genocide against him,
11. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, the parliaments and governments of the Member States, the African Union, and the President and Government of the Republic of Sudan.