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*Plenary sitting*

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**B8-0266/2018**

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))

**Maria Heubuch, Barbara Lochbihler, Judith Sargentini, Michèle Rivasi,  
Heidi Hautala, Florent Marcellesi, Bodil Valero, Bart Staes, Ernest  
Urtasun, Igor Šoltes**

on behalf of the Verts/ALE Group

**Fabio Massimo Castaldo, Ignazio Corrao, Daniela Aiuto**

**B8-0266/2018**

**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,
- having regard to the European Joint Local Statement of 15 May 2015 on the Case of Noura Hussein,
- having regard to the statement from the Independent Expert on the human rights situation in Sudan, Aristide Nononsi, on violence against women in Sudan,
- having regard to the appeal for clemency for Noura Hussein from UN Women of 13 May 2018,
- having regard to the awarding of the European Parliament's Sakharov Prize for Freedom of Thought to human rights defender Salih Mahmoud Osman in 2007,
- having regard to the statement by HR/VP Federica Mogherini on President's Al-Bashir visit to Chad,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the Universal declaration on Human 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 27 July 2017 by the UN Human Rights' Council Independent Expert on the situation of human rights in the Sudan,
- having regard to the Cotonou agreement,
- having regard to Rule 135 of its Rules of Procedure,

- A. Whereas Noura Hussein Hamad Daoud, a 19-year-old girl, was convicted of and sentenced to death for the killing of her husband, Abdulrhman Mohamed Hammad, in an act of self-defense on 10 May 2018;
- B. Whereas according to her testimony, Noura Hussein was betrothed to Abdulrahman Mohamed Hammad against her will at the age of 16; whereas she got raped by her husband when she refused to consummate the marriage; whereas following another rape attempt, she used a knife in order to defend herself and killed her husband,
- C. Whereas on 18 May, the Sudanese authorities stopped Noura Hussein's lawyers press conference,
- D. Whereas the prison authorities refuse any visit to Noura Hussein apart from her lawyers,
- E. Whereas UN Women, UNFPA and the UN Office of the Special Adviser on Africa have appealed for clemency in her case,
- F. Whereas on 1 February 2018, Sudanese forces arrested Salih Mahmoud Osman, laureate of the 2007 Sakharov Prize and human rights lawyer,
- G. Whereas his arrest was part of a wide crackdown on Sudanese citizens following anti-austerity protests, including arrests of opposition political party leaders, human rights defenders/activists, journalists, student activists and others, in relation to their involvement or suspected involvement in anti-austerity protests that occurred across Sudan,
- H. Whereas several detainees have meanwhile been released; whereas President Al-Bashir has announced that all political prisoners arrested in the context of the January 2018 manifestations will be released,
- I. Whereas the January 2018 incidents are the latest examples of an ongoing pattern of abuse; whereas human rights violations including mass arbitrary arrest and prolonged and incommunicado detention of protestors, excessive use of force, torture and ill-treatment, have continuously occurred during protest settings,
- J. 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,

- K. Whereas the EU has reengaged with Sudan in the framework of the EU-Horn of Africa migration route initiative, the so-called Khartoum process; whereas it has pledged hundreds of millions of euros for this process, a multinational effort to manage migration from the Horn of Africa to Europe;
- L. Whereas in Sudan, the EU supports a mix of development and humanitarian assistance, but also the country's highly controversial border control and counter-trafficking and counter-smuggling operations, inter alia via the so-called ROCK project,
- M. Whereas Sudan regularly deports refugees in violation of international and African regional prohibitions on refoulement,
1. Calls on Sudanese authorities to repeal the death penalty against Noura Hussein, and allow her a retrial considering her mitigating circumstances,
  2. Calls on the Sudanese prison authorities to allow visits to Noura Hussein from relatives and friends,
  3. Recalls the principle of the 1948 Universal Declaration of Human Rights stating that "marriage shall be entered into only with the free and full consent of the intending spouses."
  4. Calls on Sudanese authorities to amend the personal status law of 1991 to raise the age of marriage from 10 to 18 and to amend article 149 of the criminal law to criminalize marital rape clearly,
  5. Welcomes the announcement from President Al-Bashir to release all political prisoners arrested in the context of the January 2018 manifestations,
  6. Request the authorities to ensure everyone still arbitrarily detained is released, and also to undertake that no such detentions should happen in the future,
  7. Calls on the government of Sudan to take concrete measures to reform the current legal framework, which infringes on the exercise of political and civil rights and

fundamental freedoms; considers that priority should be given to withdrawing enforcement powers, including arrest and detention, from officers of the National Security Service, in line with the information-gathering and advisory role envisioned by the Sudan National Dialogue, and to ensuring its compliance with international standards;

8. 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, and calls also on the Sudanese government to reform its legal system in accordance with international human rights standards,
9. Reminds Sudan about its obligations as a UN member and urges it to comply with UN Security Council Resolution 1593 (2005) which requires cooperation with the ICC,
10. Is concerned that EU and individual Member States' cooperation with Sudan on migration will embolden the regime and reinforce its ability to control and oppress people, for example by strengthening surveillance capacities, including at borders and by supplying equipment, such as biometric equipment,
11. Strongly requests the EU and Member States to ensure that the implementation of projects such as ROCK and "Better Migration Management" observe the principle of "Do no harm" which would rule out the cooperation with actors responsible for human rights violations,
12. Urges the EU and Member States as well as agencies implementing EU-funded projects not to cooperate with Sudanese security forces who have a record of human rights violations, including the Rapid Response Forces and the NISS,
13. Calls on the EU and Member States to return dialogue with the government to working level, and not ministerial status, until such time as there is clear and verifiable proof of significant improvements of the human rights situation in the country,
14. 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 Government of Sudan, the African Union, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan African Parliament.

