



---

*Plenary sitting*

---

**B8-0269/2018**

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))

**Cristian Dan Preda, Joachim Zeller, Pavel Svoboda, Jaromír Štětina, Tomáš Zdechovský, Lefteris Christoforou, Marijana Petir, Tunne Kelam, Csaba Sógor, Laima Liucija Andrikienė, József Nagy, Ivan Štefanec, Eduard Kukan, Roberta Metsola, Jarosław Wałęsa, Lars Adaktusson, Giovanni La Via, Elisabetta Gardini, Željana Zovko, David McAllister, Michaela Šojdrová, Bogdan Brunon Went, Adam Szejnfeld, Dubravka Šuica, Deirdre Clune, Ivo Belet, Francis Zammit Dimech, Sandra Kalniete, Ramón Luis Valcárcel Siso, Seán Kelly, Ivana Maletić, José Ignacio Salafranca Sánchez-Neyra, Inese Vaidere, Ramona Nicole Mănescu**

on behalf of the PPE Group

**B8-0269/2018**

**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 situation in Sudan,
  - having regard to the European Joint Local Statement of 15 May 2018 on the Case of Noura Hussein,
  - having regard to the statement of 13 May 2018 by UN Women appealing for clemency for Noura Hussein,
  - having regard to the Press Statement of 23 April 2018 of the UN Independent Expert on the Situation of Human Rights in the Sudan,
  - having regard to the report of 27 July 2017 of the Independent Expert on the situation of human rights in Sudan,
  - having regard to the UNGA resolution of 19 December 2016 on Child early and forced marriage,
  - having regard to the African Charter of Human and Peoples' Rights,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR),
  - having regards to the Universal Declaration of Human Rights,
  - having regard to the EU Guidelines on the Death Penalty,
  - having regard to the Sudanese Constitution,
  - having regard to the Cotonou Agreement,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas human rights violations and abuses are widespread in Sudan and include extrajudicial killings, acts of sexual and gender-based violence against women and children, and arbitrary arrests and detentions;
- B. whereas Sudanese women are faced with systemic discrimination and Sudanese authorities convict women and girls of ill-defined crimes; whereas public order laws, and notably the 1998 Khartoum Public Order Act, disproportionately target women, degrading them and affecting their dignity with the imposition of corporal punishment and flogging;

- C. whereas the Sudanese Constitution provides that the ‘state shall protect women from injustice and promote gender equality’; whereas however, Sudan ranks 165 out of 188 on the UN’s Gender Inequality Index and gender violence remains predominant in the country;
- D. whereas in April 2017, Noura Hussein, a Sudanese teenager, was forcibly married by her parents; whereas six days after the wedding, given her constant refusal to consummate the marriage, her husband raped her with the assistance of three relatives; whereas the following day, and after another alleged attempt by her husband to rape her, Hussein stabbed him to death before running to her parents who handed her to the police;
- E. whereas Noura Hussein was trialled in July 2017 and finally found guilty of intentional murder on 29 April 2018 by the Central Criminal Court of Omdurman; whereas on 10 May 2018, she was sentenced to death by hanging;
- F. whereas the office for the High Commissioner for Human Rights has gathered evidence that Hussein’s forced marriage, rape and other forms of gender-based violence against her were not taken into account by the Court as evidence to mitigate the sentence;
- G. whereas death penalty is the ultimate inhuman and degrading punishment; whereas imposing death penalty despite clear evidence of self-defense is contrary to fundamental principles of justice and human rights;
- H. whereas Noura Hussein has been held in the Omdurman women’s prison since May 2017 and the UN Human Rights Office has expressed concerns for her safety and that of her lawyer;
- I. whereas Adil Mohamed Al-Imam, Hussein’s lead attorney, has reportedly been prevented to hold a press conference and intimidated at his office by the National Intelligence and Security forces (NISS);
- J. whereas the Universal Declaration of Human Rights states that "marriage shall be entered into only with the free and full consent of the intending spouses"; whereas the Sudanese law allows children as young as 10 years old to be married and one-third of Sudanese girls are married before the age of 18;
- K. whereas marital rape has only been recognised by Sudanese law in 2015; whereas however, judicial authorities usually refuse to recognise it as a crime;
- L. whereas the African Charter on Human and Peoples' Rights, ratified by Sudan, includes the right to life and the prohibition of torture and cruel, inhuman or degrading punishment and treatment, but whereas death penalty, flogging, amputation and other

corporal punishments are still being carried out in the country for a number of criminal sentences;

M. whereas about 300 persons are currently under death sentence in Sudan; whereas the number of crimes eligible for death penalty kept expanding over the years, in particular with the adoption of the Islamic law, and now include among others apostasy, adultery and homosexuality;

N. whereas accountability, justice, the rule of law and the fight against impunity constitute essential elements of a democracy;

1. Remains deeply concerned at the continued violations of human rights in Sudan, as well as the prevalence of impunity in the country;

2. Reiterates its firm opposition to the use of death penalty, whatever the place and circumstances, and urges the authorities to reverse the death sentence faced by Noura Hussein;

3. Calls on Sudan to sign and ratify the second protocol to the ICCPR on the abolition of death penalty and to issue a moratorium on all executions with a view to abolishing the death penalty and all forms of corporal punishment;

4. Reminds the Sudanese authorities of their obligation to guarantee fundamental rights, including the right to a fair trial; insists that all necessary measures must be taken to ensure that Noura Hussein's trial genuinely meet the highest standards of fairness and due process;

5. Urges the Sudanese authorities to ensure the full protection of Noura Hussein's physical and psychological integrity during her detention, as well of that of her lawyers and family;

6. Is deeply concerned about the continued violation of women's rights and the lack of protection for victims of rape and violence in Sudan; calls on the Sudanese government to ensure that all cases of gender-based and sexual violence, including marital rape and domestic violence, are prosecuted and that perpetrators are held into account, in accordance with the Sudanese law and international human rights conventions;

7. Reiterates its condemnation of child marriage as it violates girls' fundamental rights, including their right to health and education; recalls that girls who marry as children are more likely to suffer domestic violence, abuse and early death; therefore, calls on the Sudanese government to review its legislation in order to criminalise child marriage;

8. Urges the Sudanese authorities to sign and ratify the Convention on the Elimination of All Forms of Discrimination Against Women;

9. Calls on the EU to make use of all instruments available, including political dialogue, to address and curtail the practice of child marriage and gender discrimination in Sudan,
10. Instructs its President to forward this resolution to the Council, the Commission, 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 African Union Commission and the Pan-African Parliament, the Sudanese Government and the Secretary-General of the United Nations.