



Plenary sitting

**B8-1062/2016 }
B8-1067/2016 }
B8-1070/2016 }
B8-1071/2016 }
B8-1074/2016 }
B8-1078/2016 }
B8-1080/2016 } RC1**

5.10.2016

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4), of the Rules of Procedure

replacing the motions by the following groups:

EFDD (B8-1062/2016)
PPE (B8-1067/2016)
S&D (B8-1070/2016)
Verts/ALE (B8-1071/2016)
ECR (B8-1074/2016)
GUE/NGL (B8-1078/2016)
ALDE (B8-1080/2016)

on Sudan
(2016/2911(RSP))

Cristian Dan Preda, Davor Ivo Stier, Roberta Metsola, Tunne Kelam, Patricija Šulin, Ivan Štefanec, Agnieszka Kozłowska-Rajewicz, Jaromír Štětina, Pavel Svoboda, Ildikó Gáll-Pelcz, Milan Zver, Romana Tomc, Claude Rolin, Tomáš Zdechovský, Lefteris Christoforou, Michaela Šojdrová, Thomas Mann, Stanislav Polčák, Marijana Petir, Eduard Kukan, Laima Liucija Andrikienė, Jeroen Lenaers, Giovanni La Via, Maurice Ponga, Bogdan Brunon Wentă, Adam Szejnfeld, József Nagy,

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Csaba Sógor, Dubravka Šuica, Andrey Kovatchev, Ramona Nicole Mănescu, Jiří Pospíšil, Seán Kelly, Eva Paunova, Therese Comodini Cachia, David McAllister, Sven Schulze, Deirdre Clune, Brian Hayes, Krzysztof Hetman, László Tőkés, Elmar Brok

on behalf of the PPE Group

Pier Antonio Panzeri, Victor Boștinăru, Knut Fleckenstein, Josef Weidenholzer, Richard Howitt, Eric Andrieu, Zigmantas Balčytis, Hugues Bayet, Brando Benifei, José Blanco López, Vilija Blinkevičiūtė, Biljana Borzan, Nicola Caputo, Andrea Cozzolino, Nicola Danti, Isabella De Monte, Doru-Claudian Frunzuliță, Eider Gardiazabal Rubial, Enrico Gasbarra, Elena Gentile, Lidia Joanna Geringer de Oedenberg, Neena Gill, Michela Giuffrida, Theresa Griffin, Sylvie Guillaume, Cătălin Sorin Ivan, Liisa Jaakonsaari, Agnes Jongerius, Afzal Khan, Jeppe Kofod, Miapetra Kumpula-Natri, Cécile Kashetu Kyenge, Krystyna Łybacka, Vladimír Maňka, David Martín, Sorin Moisă, Alessia Maria Mosca, Victor Negrescu, Momchil Nekov, Norbert Neuser, Demetris Papadakis, Vincent Peillon, Pina Picierno, Tonino Picula, Kati Piri, Miroslav Poche, Liliana Rodrigues, Daciana Octavia Sârbu, Siôn Simon, Monika Smolková, Tibor Szanyi, Paul Tang, Claudia Țapardel, Marc Tarabella, Elena Valenciano, Julie Ward, Carlos Zorrinho, Miriam Dalli

on behalf of the S&D Group

Jana Žitňanská, Ruža Tomašić, Tomasz Piotr Poręba, Ryszard Antoni Legutko, Ryszard Czarnecki, Karol Karski, Charles Tannock, Mark Demesmaeker, Anna Elżbieta Fotyga, Branislav Škripek, Bas Belder, Arne Gericke, Angel Dzhambazki, Notis Marias

on behalf of the ECR Group

Pavel Telička, Ilhan Kyuchyuk, Beatriz Becerra Basterrechea, María Teresa Giménez Barbat, Marietje Schaake, Johannes Cornelis van Baalen, Javier Nart, Urmas Paet, Ivo Vajgl, Carolina Punset, Petr Ježek, Petras Auštrevičius, Gérard Deprez, Nedzhmi Ali, Marian Harkin, Dita Charanzová, Marielle de Sarnez, Ivan Jakovčić, Martina Dlabajová, Paavo Väyrynen, Jasenko Selimovic, José Inácio Faria, Hilde Vautmans, Izaskun Bilbao Barandica, Louis Michel, Nathalie Griesbeck, Hannu Takkula, Filiz Hyusmenova, Valentinas Mazuronis

on behalf of the ALDE Group

Marie-Christine Vergiat, Merja Kyllönen, Lola Sánchez Caldentey, Xabier Benito Ziluaga, Tania González Peñas, Estefanía Torres Martínez, Miguel Urbán Crespo, Sofia Sakorafa, Barbara Spinelli

on behalf of the GUE/NGL Group

Judith Sargentini, Maria Heubuch, Heidi Hautala, Jordi Sebastià, Alyn Smith, Bart Staes, Michèle Rivasi, Barbara Lochbihler, Ernest Urtasun, Bodil Valero, Igor Šoltes, Davor Škrlec, Bronis Ropė

on behalf of the Verts/ALE Group

Beatrix von Storch, Ignazio Corrao, Fabio Massimo Castaldo, Piernicola Pedicini, Isabella Adinolfi, Laura Agea, Laura Ferrara, Rolandas Paksas

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on behalf of the EFDD Group

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EN

European Parliament resolution on Sudan (2016/2911(RSP))

The European Parliament,

- having regard to its previous resolutions on Sudan;
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the Joint Statement of 8 August 2016 by the EU, the representatives of the Troika (Norway, the United Kingdom and the United States) and Germany welcoming the Sudan Call’s signing of the AUHIP Roadmap,
- having regard to the ‘Report of the Independent Expert on the situation of human rights in the Sudan’ of 28 July 2016 and the ‘Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, on his mission to the Sudan’ of 4 August 2016,
- having regard to the statement of 27 June 2016 by the Spokesperson of the Vice-President / High Representative (VP/HR) on the Sudanese Government’s announcement of a four-month unilateral cessation of hostilities,
- having regard to the UN Security Council’s Resolution 2296 on Sudan adopted at its 7728th meeting on 29 June 2016,
- having regard to the communiqué of 13 June 2016 of the Peace and Security Council of the African Union on the situation in Darfur,
- having regard to Article 5 of the Universal Declaration of Human Rights and Article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,
- having regard to the declaration of 9 April 2015 by the High Representative on behalf of the European Union on the lack of a conducive environment for the Sudanese elections in April 2015,
- having regard to the ‘Sudan Call’ declaration on the ‘Establishment of a State of Citizenship and Democracy’,
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 18 December 1979,
- having regard to Rule 135(5) and 123(4) of its Rules of Procedure,

A. whereas the conflict in Darfur has been going on for 13 years and has claimed over 300

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000 lives, with Sudanese Government forces continuing to attack civilians, especially in Jebel Marra; whereas ongoing indiscriminate bombing of civilians, including unlawful attacks by Sudanese forces on villages in South Kordofan, Blue Nile and Darfur, has resulted in casualties and the destruction of civilian infrastructure;

- B. whereas the 2010 National Security Act granted the Sudanese Government sweeping powers to routinely hold detainees in solitary confinement, without charge and for prolonged periods, and organisations have been forcibly closed and raided;
- C. whereas, as stated in the UN Universal Periodic Review of 21 September 2016, Sudan reaffirmed its commitment to acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to the International Convention for the Protection of All Persons from Enforced Disappearance;
- D. whereas human rights violations and abuses are escalating in Darfur, notably in South Kordofan and Blue Nile, including those involving extrajudicial killings, the excessive use of force, abduction of civilians, acts of sexual- and gender-based violence against women, violations and abuses against children, and arbitrary arrests and detentions;
- E. whereas civic space for opposition political parties, civil society and human rights defenders is restricted in Sudan; whereas it is reported that the National Intelligence and Security Service (NISS) constantly harasses, targets and prosecutes human rights defenders, students activists and political opponents for undertaking their legitimate activities; whereas so far this year numerous civil society activists have been arbitrarily arrested, including four representatives of Sudanese civil society intercepted by security officials at Khartoum International Airport on their way to a high-level human rights meeting with diplomats that took place in Geneva on 31 March;
- F. whereas human rights groups have uncovered credible evidence of chemical weapon attacks on civilians by Sudanese Government forces, with villagers from the Jebel Marra region of Darfur revealing the gruesome effects of suspected chemical weapons attacks, the most recent of which occurred on 9 September 2016 in Gamarah village; whereas there have also been reported attacks by the Rapid Support Forces (RSF), a Sudanese military unit composed of former pro-government militia under the command of the NISS;
- G. whereas on 29 February 2016 the NISS brutally raided the Khartoum Centre for Training and Human Development (TRACKS), a civil society organisation, following which the director and activists Adil Bakheit, Arwa Ahmed Elrabie, Nudaina Kamal, Al-Hassan Kheiry, Imani-Leyla Raye, Abu Hureira Abdelrahman and Al-Baqir Al-Afif Mukhtar were arrested and charged with criminal conspiracy and waging war against the state, charges which carry the death penalty; whereas the director is reported to be in poor health and family visits are not permitted;
- H. whereas the Sudanese authorities impose severe restrictions on the freedom of religion; whereas threats against church leaders and the intimidation of Christian communities have continued at an accelerated pace over the past years; whereas Czech Christian Aid worker

Petr Jašek, Sudanese pastors Hassan Abduraheem Kodi Taour, Kuwa Shamal and Darfuri graduate student Abdulmonem Abdumawla Issa Abdumawla have been detained for nine months already by the NISS and are facing trial on charges of highlighting alleged Christian suffering in war-ravaged areas of Sudan; whereas in recent years there has been an increase in trials on charges of apostasy and subsequent death sentences;

- I. whereas the Rapid Support Forces (RSF) were recently deployed along the northern border of Sudan in order to counter the flow of irregular migrants; whereas on 31 August 2016 the Commander of the RSF declared that his forces were patrolling this border with Egypt and Libya, and in so doing claimed that Sudan was fighting illegal migration on behalf of the EU; whereas the EU Delegation in Sudan denied this support on 6 September 2016;
- J. whereas, on 24 August 2016, 48 potential Sudanese asylum-seekers were deported from Italy to Sudan; whereas in May 2016 the Sudanese authorities deported over 400 Eritreans who had been arrested en route to Libya;
- K. whereas the Sudanese authorities disproportionately convict women and girls of ill-defined crimes; whereas women are faced with systemic discrimination and the imposition of corporal punishment and flogging for vaguely defined dress code violations;
- L. whereas the ‘Sudan Call’ co-signatories (representatives from political and armed opposition parties, including the National Umma Party, the National Consensus Forces and the Sudan Revolutionary Front) are committed to working towards ending the conflicts raging in different regions of Sudan and towards legal, institutional and economic reforms;
- M. 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; 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, and Sudan must therefore comply with the ICC arrest warrant;
- N. whereas in June 2008 the EU Foreign Ministers meeting in the General Affairs and External Relations Council (GAERC) concluded ‘that Council stands ready to consider measures against individuals responsible for not-cooperating with the ICC’;
- O. whereas the EU is currently implementing a project on ‘better migration management’ with Sudan;
- 1. Deplores the use of chemical weapons against civilians in the Jebel Marra area of Darfur by the Sudanese Government and highlights that this is a serious violation of international norms and also a war crime; recalls that Sudan is a party to the Chemical Weapons Convention and calls for an international investigation into these allegations led by the Organisation for the Prohibition of Chemical Weapons; reminds the Sudanese authorities of their responsibility to protect human rights;

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2. Remains deeply concerned at the ongoing unlawful killings, abductions, and gender-based and sexual violence in the conflict areas, notably in Darfur, Southern Kordofan and Blue Nile, as well as the accompanying serious humanitarian emergency caused by enormous internal displacements; calls for an immediate end to the aerial bombardment of civilians by Sudanese forces;
3. Condemns the arbitrary arrest and detention of activists and the ongoing detention of human rights defenders and journalists in Sudan; urges the Government of Sudan to guarantee the peaceful exercise of the freedoms of expression, association and assembly; underlines that the National Dialogue will only succeed if carried out in an atmosphere in which the freedoms of expression, media, association and assembly are guaranteed;
4. Calls on the African Union and the Sudanese Government to promptly investigate all allegations of torture, ill-treatment, arbitrary detention and excessive use of force and to hold those responsible to account in fair trials without recourse to the death penalty; calls on the Government of Sudan to issue an immediate moratorium on all executions and to abolish the death penalty and all forms of corporal punishment;
5. Expresses its particular concern about the access restrictions still imposed on international humanitarian agencies and organisations; demands that the Sudanese Government make every effort possible to improve access by international humanitarian agencies to all those seeking humanitarian aid in accordance with its engagements during the universal periodic review; urges the Government of Sudan to engage constructively with civil society organisations in order to promote human rights awareness in Sudan without delay;
6. Reaffirms that freedom of religion, conscience or belief is a universal human right that needs to be protected everywhere and for everyone; demands that the Sudanese Government repeal any legal provisions that penalise or discriminate against individuals for their religious beliefs, especially in the case of apostasy;
7. Expresses its concern with regard to the increased crackdown by the NISS on citizens who are civil society activists and calls on Sudan to release detainees immediately and unconditionally and to halt arbitrary detentions forthwith, to drop all charges that stem from their peaceful activities and to let NGOs, such as TRACK staff, their affiliates and student activists, conduct their work without fear of reprisals;
8. Notes Sudan's acceptance of recommendations to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to strengthen efforts to prevent torture and inhuman treatment; calls, however, on the Sudanese Government to conduct an urgent review of its National Security Act, which allows the detention of suspects for up to four and half months without any form of judicial review, and to reform its legal system in accordance with international human rights standards;
9. Calls on the Government of Sudan to repeal the extensive immunities it has stipulated in Sudanese legislation, to publish the findings of the three state commissions of inquiry, and to publicly admit to the scale of the killings during the crackdown on anti-austerity protesters in September 2013 and deliver justice to its victims;

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10. Recalls the June 2008 GAERC conclusions addressing the continued failure of the Government of Sudan to cooperate with the International Criminal Court (ICC) and pointing out that the Government of Sudan has an obligation, and the capacity, to cooperate and that any arrest warrant issued by the ICC should be respected; urges Omar al-Bashir to comply with international law and to appear before the ICC for war crimes, crimes against humanity and genocide;
11. Calls on the African Union Member States, and in particular those countries that have hosted President Bashir (the Democratic Republic of Congo, Chad, South Africa, Uganda and Djibouti), to comply with the Rome Statute and the decisions of the International Criminal Court;
12. Calls on the EU to move to impose targeted punitive sanctions against those responsible for continued war crimes and non-cooperation with the International Criminal Court; requests the EEAS to draw up a list of individuals for such sanctions without further delay;
13. Notes that the Government of Sudan signed the Roadmap Agreement on 16 March 2016, and has subsequently clarified its commitments regarding the inclusion of other relevant stakeholders in the National Dialogue and on continuing to uphold any decisions reached between the opposition signatories and the 7+7 Mechanism, the steering committee of the National Dialogue; insists on the need for all parties to respect their commitments and calls for a continued dialogue towards the establishment of a definite ceasefire; calls for the EU and its Member States to continue their commitment to supporting the efforts of the African Union to bring peace to Sudan and the Sudanese people in their transition to an internally reformed democracy;
14. Calls on the United Nations/African Union Mission in Darfur (UNAMID) to establish a permanent presence inside Jebel Marra; calls on UNAMID to investigate without delay and publicly report on allegations of violations of human rights and international law by members of Sudanese Government forces and opposition forces in Jebel Marra;
15. Calls on the EEAS and the Commission to closely monitor EU development assistance in Sudan in order to prevent any direct or indirect support to local militias, and to ensure that RSF forces patrolling Sudan's borders with Egypt and Libya do not purport to fight illegal migration on behalf of the EU;
16. Urges the Commission and the Member States concerned to therefore ensure complete transparency concerning the 'better migration management' project with Sudan, including all planned activities and beneficiaries of EU and national funding, and to compile a comprehensive report on the visit of an EU technical delegation to Sudan in May 2016;
17. Calls for the EU and its Member States to ensure that Parliament is kept fully informed of the dialogue established under the Khartoum Process and that the activities funded through the EU Africa Trust Fund, particularly those aiming to build the capacities of the Government of Sudan, are carried out in full compliance with existing agreements,

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ensuring that adherence to international obligations and laws is fully transparent to citizens and civil society in the EU and Sudan;

18. Notes with concern the continued and frequent violation of women's rights in Sudan, and of Article 152 of the Criminal Code in particular, and urges the Sudanese authorities to sign and ratify the Convention on the Elimination of All Forms of Discrimination Against Women expeditiously;
19. Instructs its President to forward this resolution to the Council, the Commission, the Government of Sudan, the African Union, the United Nations Secretary-General, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan-African Parliament (PAP), and the Organisation for the Prohibition of Chemical Weapons.