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Sudan

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European Parliament resolution on the Sudan

The European Parliament,

- having regard to the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000⁽¹⁾,
- having regard to the Constitution of the Republic of the Sudan adopted on 30 June 1998,
- having regard to the International Covenant on Civil and Political Rights adopted on 16 December 1966,
- having regard to Rule 104a and 104(4) of its Rules of Procedure,

A. whereas its Committee on Development and Cooperation sent a delegation to the Sudan from 19 to 24 February 2004,

B. whereas, during an attack on 27 February 2004 in the Tawilah area of Northern Darfur, 30 villages were burned to the ground, over 200 people were killed, over 200 women and girls were raped and a further 150 women and children were abducted,

C. whereas, on 22 March 2004, the UN's humanitarian coordinator for the Sudan, Mukesh Kapila, drew attention to the humanitarian situation in Darfur, describing it as one of the worst in the world, with around 700 000 internally displaced persons (IDPs), 110 000 refugees in neighbouring Chad and over 10 000 deaths since the rebellion emerged in February 2003,

1. Welcomes the progress in negotiations on a peace agreement between the Sudanese Government and the SPLM/A in Naivasha, Kenya;
2. Draws attention to the political importance of the peace process between the Sudanese Government and the SPLM/A in bringing to an end one of the longest-running conflicts in Africa, which has claimed almost two million lives and displaced four million people;
3. Insists, however, that peace in the Sudan can only be considered to be achieved when all parties involved in areas of conflict across the country agree to, and respect, a ceasefire, and when peace processes involving community and tribal leaders, MPs, civil society and women's groups as well as the warring factions have been undertaken and concluded, including in Darfur;
4. Calls on the Government of the Sudan and the SPLM/A to finalise the peace agreement rapidly;
5. Calls on all the parties to the conflict in Darfur to agree without delay on an immediate ceasefire and to open negotiations to end the conflict in the region;
6. Welcomes the recent announcement of scheduled talks between the Sudanese Government and the rebels; endorses the initiative of the Dutch Government, which is acting on behalf of the Council presidency in the Sudan, to facilitate talks between the different parties to the conflict, and asks the EU to maximise support throughout the international community for the initiative and to ensure that the ceasefire will have multilateral monitoring and that all relevant stakeholders, including

community and tribal leaders, women's groups, MPs and civil society, will be involved in the peace process;

7. Calls on the Commission and Member States to monitor carefully the situation in Darfur, to take the necessary steps to bring about a peaceful solution and to be consistent with the principles enshrined in the Cotonou agreement, notably with regard to respect for human rights, democratic principles and the rule of law;

8. Welcomes the climate of détente in the Nuba Mountains following implementation of the ceasefire and notes with satisfaction the partial resumption of the free movement of people between the government and SPLM/A zones;

9. Believes that the EU should support a possible UN peace support mission to be approved by the Security Council and believes there could be a role for EU peacekeepers and monitors, but that these should be proportionate to the needs and recognise the successes of the existing 'light touch' Joint Military Commission (JMC) in the Nuba Mountains;

10. Calls on the Sudanese Government and the SPLM/A, once the peace agreement is concluded, to widen the scope of that agreement, in a spirit of national unity, to ensure the development of the whole country and to ensure that the distribution of wealth, including oil revenue, benefits all regions of the Sudan;

11. Calls on any oil companies operating in the Sudan to ensure that people displaced by oil development in the past have the right to return to their homes and are paid full compensation for their removal and return or relocation, and that all oil companies are in full compliance with the Extractive Industries Transparency Initiative and the international voluntary security principles; calls on the Commission to monitor this in relation to its policies on corporate social responsibility;

12. Recognises the importance of a quick resumption of European Union development aid, after the signature of the peace agreement, and the establishment of a monitored ceasefire in Darfur alongside the opening of negotiations, and calls for a step-by-step release of EDF funds dependent on a general improvement in democracy and respect for human rights in the Sudan, including:

- an end to the government-led campaign of ethnic cleansing in the region of Darfur and the resumption of unrestricted access for humanitarian aid to the population at risk in the region,
- the appointment of a deputy national authorising officer for the south of the country, with full authority modelled on the experience of Zanzibar in Tanzania,
- greater recourse to the United Nations and international NGOs in delivering aid,
- specific benchmarks building on those already established in the framework of the EU/Sudan Political Dialogue in relation to democracy, human rights and good governance, progress on which should be assessed in order to enable a gradual release of available funds,
- making maximum use of existing horizontal budget lines and facilitating a transfer of monies from envelope A to envelope B for peacebuilding expenditure prior to the final signature and to reduce future delays in spending,
- convening an international conference of NGOs committed to the Sudan in order to address capacity problems for delivery of future aid;

13. Calls on the Commission to pay the utmost attention to ensuring a smooth transition between humanitarian aid, rehabilitation and development; considers it essential that the future Rehabilitation and Reconstruction Interventions supported by the EDF link up with relief interventions supported with ECHO funding; considers further that when the successful humanitarian actions have a 'development component' the Commission should support their extension with the EDF;

14. Expresses deep sadness at the serious injury sustained by an NGO humanitarian aid worker

undertaking EC-funded food distribution owing to a landmine on 5 February 2004, and underlines the importance of expanded landmines clearance programmes across the Sudan;

15. Calls on the Sudanese authorities to end impunity for government officers and military personnel and to bring to justice the perpetrators of human rights violations and other crimes, for example the individuals, i.e. army personnel, who have been involved in rapes and murders, arms trafficking, including the Lord's Resistance Army (LRA), cattle theft and looting;

16. Calls on the Government of the Sudan, the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM) to opt for the path of dialogue and negotiation and to refrain from resorting, directly or indirectly, to armed struggle to defend their interests;

17. Criticises systematic delays and obstruction by the Government of the Sudan with regard to access by humanitarian aid workers, in violation of the principle of the neutrality of humanitarian aid, and calls on the Government of the Sudan and rebel groups operating in Darfur to allow the United Nations, other aid organisations and EC personnel or staff permanent access to all regions of Darfur without restriction and without delay; also calls on the Government of the Sudan to put in place arrangements to guarantee the safety of humanitarian aid workers and internally displaced persons (IDPs) in camps in government-controlled areas;

18. Highlights the overwhelming evidence collected by the UN Resident and Humanitarian Coordinator, NGOs and journalists as to the Sudanese Government's complicity in the atrocities committed by the Janjaweed militia against civilians in Darfur;

19. Notes with the utmost concern the recent public statement made by Dr Mukesh Kaplia, UN Resident and Humanitarian Coordinator, stating that the situation in Darfur is akin to the biggest humanitarian and human rights crisis or catastrophe in the world today and that the violence in Darfur appears to be particularly targeted at a specific group, based on their ethnic identity, and appears to be systemised;

20. Strongly condemns the reported provision of financial, logistical and other support given to the Janjaweed militia by the Government of the Sudan, including for the indiscriminate bombing of civilians as reported on 8 and 12 March 2004, and calls on the Government to cease immediately all support to these militia, to take action to disband the Janjaweed and to stop all attacks on civilians;

21. Calls for a no-fly zone to be put into place immediately over Darfur under the full supervision and monitoring of the UN, and calls on the Government of the Sudan to immediately ground all aircraft;

22. Expresses deep concern at the fact that at least a million people have been affected by the recent violence in Darfur, including some 110 000 refugees in Chad and around 700 000 internationally displaced persons (IDPs);

23. Calls on the Sudanese Government to protect its citizens in their villages, to ensure that IDPs are in a safe location where they have access to services, some livelihood and assistance, and to stop its reported policy of chasing Darfurians away from their rural homes towards Chad and to urban centres in the Darfur region;

24. Strongly condemns the targeting by the Janjaweed militias of civilians in the villages and in centres for displaced persons, which includes killings, the use of sexual violence against women, looting and general harassment, as well as forced recruitment, including of children;

25. Expresses its utmost concern at the continued reports of disappearances, abductions and rapes, which are clear violations of international law and tantamount to war crimes;

26. Calls on all parties involved in the conflict to refrain from the recruitment and use of child soldiers under the age of 18;

27. Calls on the UN to appoint a special representative of the Secretary-General for the Sudan to monitor the situation in Darfur, who would be responsible for overseeing a thorough investigation

into the atrocities committed by the Janjaweed militias against civilians and for bringing the perpetrators to justice;

28. Calls for the EU and other donors to do all they can to provide humanitarian assistance following the destruction perpetrated during the fighting in the Sudan and neighbouring countries, in particular Chad, and to protect and support IDPs and refugees;

29. Calls on the governments of Chad, Libya and the Central African Republic to monitor the trade in small arms in the region more closely;

30. Welcomes the improved relations between the Sudan and Uganda; calls on the Sudanese Government to do its utmost to prevent Joseph Kony's LRA terrorist group from operating out of Sudan;

31. Notes with concern that the sanctions imposed for adultery under Sharia law are detrimental to women in particular, as the evidence requirements are virtually never satisfied in the case of men, whereas a pregnant woman is automatically considered guilty;

32. Condemns the practises of flogging and amputation and all corporal punishment which is carried out in the Sudan, and points out that these are inconsistent with the country's obligations under the International Covenant on Civil and Political Rights, and the human rights benchmarks agreed in the framework of the EU/Sudan Political Dialogue;

33. Considers that the application of elements of Sharia law is in breach of international law, including the International Covenant on Civil and Political Rights, to which the Sudan is a signatory;

34. Calls on the Sudanese authorities to reform the system of prolonged imprisonment for unpaid fines (very often of women sentenced for alcohol production) and to ensure that prisoners on remand are given a speedy and fair trial and that the rights of the defence are respected, in accordance with Article 32 of the Constitution;

35. Draws attention to the almost complete absence of freedom of speech, free media, or independent human rights infrastructures within the Sudan and calls on the Sudanese authorities, in line with the international instruments they have signed, to revise the working methodologies and the leading principles of the special military intelligence and internal security units set up during the war, such as the National Security Bureau, as soon as the peace agreement has been concluded;

36. Instructs its President to forward this resolution to the Council, the Commission, the Government of the Sudan, the governments of the Member States, the US and Norway and the governments of the Sudan's neighbouring countries, the UN Secretary-General, and the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the ACP Council.

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.