



10.3.2015

B8-0266/2015

## 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 South Soudan, including recent child abductions  
(2015/2603(RSP))

**Gianni Pittella, Josef Weidenholzer, Kashetu Kyenge, Juan Fernando López Aguilar, Norbert Neuser, Linda McAvan, Catherine Stihler, Alessia Maria Mosca, David Martin, Marlene Mizzi, Victor Boștinaru, Elena Valenciano, Enrico Gasbarra, José Blanco López, Ana Gomes, Kati Piri, Enrique Guerrero Salom, Tonino Picula, Demetris Papadakis, Nikos Androulakis, Krystyna Łybacka, Nicola Caputo, Miroslav Poche, Seb Dance, Liisa Jaakonsaari, Viorica Dăncilă, Victor Negrescu, Luigi Morgano, Sorin Moisă, Andi Cristea, Vilija Blinkevičiūtė, István Ujhelyi, Neena Gill, Miriam Dalli, Michela Giuffrida, Marc Tarabella, Goffredo Maria Bettini, Doru-Claudian Frunzuliță, Arne Lietz, Zigmantas Balčytis, Biljana Borzan**

on behalf of the S&D Group

**B8-0266/2015**

**European Parliament resolution on South Sudan, including recent child abductions (2015/2603(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on South Sudan
  - having regard to the African Charter on Human and Peoples' Rights;
  - having regard to the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa;
  - having regard to the UN Convention on the Rights of the Child;
  - having regard to the African Charter on the Rights and Welfare of the Child
  - having regard to the UN Convention against Torture;
  - having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women
  - having regard to the Cotonou agreement
  - having regard to UN Security Council Resolution 2206 of 3 March 2015
  - having regard to the statement of the special Representatives of the Secretary-General for Children and Armed Conflict of 25 February 2015
  - Having regard to the October 2014 Joint Communique of the Republic of South Sudan and the UN on the Prevention of Conflict-Related Sexual Violence
  - having regard to the statement of UN Secretary General Ban Ki Moon of 3 February 2015 on peace talks in South Sudan
  - Having regard to the Statement of the 6 March 2015 of the spokesperson of the High Representative/Vice-President Federica Mogherini on the failure of parties of the South Sudan conflict to reach a peace agreement
  - having regard to rule 110 (2) of its rules of procedure
- A. Whereas on 15 and 16 Feb 2015, an estimated 89 children, and possibly hundreds more, were abducted in the community of Wau Shilluk in Upper Nile State where thousands of people have been internally displaced; Whereas according to witnesses, armed soldiers

surrounded the community and searched house by house, with mostly boys older than 12 years of age being taken away by force;

- B. Whereas the UN has gathered evidence that a militia led by Johnson Oloni, a commander integrated into the SPLA, is responsible for the abduction of the children; whereas similar patterns of recruitment have been observed by opposition forces;
- C. Whereas in December 2013, a political dispute within South Sudan's ruling party, the Sudan People's Liberation Movement (SPLM), escalated into an armed confrontation in Juba between forces loyal to President Kiir and those loyal to former Vice-President Riek Machar;
- D. Whereas following the internal armed conflict that erupted in in December 2013 approximately 1.4 million people have been internally displaced, 500,000 have fled to neighbouring countries and approximately 12,000 children have been recruited to serve in armed forces and groups; Whereas an estimated 4 million people are at a high risk of food insecurity, with the UN repeatedly warning of a deepening humanitarian crisis and famine should fighting continue;
- E. Whereas parties to the conflict have attacked civilians based on ethnicity, perceived political allegiance, committed sexual violence and widespread destruction and looting of property. Whereas despite multiple commitments to cease hostilities, fighting has continued amidst impunity for grave and systemic human rights violations;
- F. Whereas despite previous agreements to cease hostilities and continuous efforts by the Intergovernmental Authority on Development (IGAD) to negotiate a political solution to the conflict, fighting has continued characterized by a total disregard for international human rights and humanitarian law with no accountability for abuses committed in the context of the conflict;
- G. Whereas a Commission of Inquiry was established by the AU in March 2014, but its final report had not yet been publicly released. Whereas The Commission of Inquiry submitted its final report to the AU Commission in October 2014, but it had not been publicly released by the end of the year;
- H. Whereas the decision to delay publication has been met with widespread disappointment and is widely viewed as a setback to accountability and an end to impunity with figures such as UN Assistant Secretary General Ivan Simonovic, former UN High Commissioner for Human Rights Navi Pillay and prominent members of South Sudanese civil society organisations expressing their disappointment;
- I. Whereas despite its Parliament voting to ratify, South Sudan is not yet party to any core international or regional human rights treaties including the African Charter on Human and Peoples' Rights; the AU Convention Governing the Specific Aspects of Refugee Problems in Africa; the UN Convention on the Rights of the Child; the UN Convention against Torture; and the UN Convention on the Elimination of All Forms of Discrimination against Women;

- J. Whereas a draft Non-Governmental Organizations Bill was being considered by Parliament, which would restrict the right to freedom of association. The Bill would make registration compulsory, prohibit NGOs from operating without being registered, and criminalize voluntary activities carried out without a registration certificate;
- K. Whereas the EU and its Member States has provided more than €197 million in humanitarian assistance in 2014 to respond to the humanitarian crisis and to address the urgent needs of South Sudanese refugees in the region;
1. Calls for the immediate release and safe return of all children recruited by armed forces since the beginning of the conflict in December 2013. Urgently reminds all parties involved in the conflict that the recruitment and use of children in armed forces and groups is a grave violation of international law;
  2. Calls on the SPLA and opposition forced to thoroughly and transparently verify that there are no children left in its ranks and immediately develop and implement an action plan with the UN to end grave child rights violations;
  3. Calls on the European Commission to assist in mobilizing resources to help with long term reintegration of children recruited into armed forces and those affected by the conflict, in coordination with the Office of the UN Special Representative for Children in Armed Conflict, UNICEF and other agencies;
  4. Urgently calls on sides to stop the violence, cease human rights violations, form a transitional government of national unity, and allow for full access to humanitarian assistance; calls on the parties to end attacks on education and stop using schools; to that end, recalls its support for the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict
  5. Urges both parties to reach an agreement and fully supports the ongoing process of negotiations in Addis Ababa, calling for an immediate ceasefire and efforts to find a way to achieve lasting peace and stability; urges the government and the rebel sides to engage in unconditional, inclusive and holistic political talks in good faith for the successful conclusion of the negotiations; welcomes the efforts of the African Union and IGAD to promote inclusive dialogue and mediation;
  6. Urges the AU Peace and Security Council to publish the report of the AU Commission of Inquiry into human rights abuses in South Sudan and follow up on its findings without further delay;
  7. Underlines that publication of the report is a crucial step toward peace and reconciliation. Recognises that all South Sudanese have a right to the truth and justice; that hundreds of victims and witnesses of atrocities made huge personal efforts to engage with the AUCISS often taking significant personal risk recounting painful experiences in order to contribute to a more complete record of the conflict;

8. Requests the European Commission and External Action Service to actively support implementation of recommendations by the committee of enquiry, including the possible establishment of a hybrid court to deal with the atrocities, as suggested by the UN Secretary General.
9. Welcomes the adoption of UN Security Council resolution 2206 which would impose targeted sanctions directly affecting those who have fuelled the conflict, calls on the EU, regional and international partners to adopt similar measures such as visa ban and asset freezes against those responsible for human rights abuses.
10. Underlines the need for a comprehensive arms embargo to be adopted at regional and international level to halt the supply of weapons to individuals and groups who have committed serious violations of human rights, war crimes and crimes against humanity, and protect civilians at grave risk.
11. Calls on the government of South Sudan to conduct prompt, thorough, impartial and independent investigations with a view to prosecuting and holding accountable individuals suspected of crimes under international law and serious violations of human rights including abduction and recruitment of children into armed conflict and sexual violence against women.
12. Recalls the 25 August 2015 IGAD Protocol which specifically stated that individuals identified by the AUCISS as responsible for serious crimes shall not be eligible for participation in the Transitional Government;
13. Calls on the government of South Sudan to urgently finalise legislative amendments which criminalise the recruitment and use of children and use this legislation to prosecute offenders and to finalise the implementation of international agreements;
14. Calls on the Government of South Sudan to reject legislation that would restrict the sectors in which Non-Governmental Organisations and associations can carry out their work, which would severely inhibit the development of society and humanitarian relief efforts;
15. Urges responsible management of South Sudan's natural resources to ensure that oil revenues are not fuelling the conflict.
16. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of South Sudan, the Human Rights Commissioner of South Sudan, the National Legislative Assembly of South Sudan, the African Union's institutions, the Intergovernmental Authority on Development, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the UN Secretary-General.