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2014 - 2019

*Plenary sitting*

11.3.2015

B8-0241/2015 }  
B8-0255/2015 }  
B8-0257/2015 }  
B8-0258/2015 }  
B8-0260/2015 }  
B8-0263/2015 }  
B8-0266/2015 } RC1

## 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:

Verts/ALE (B8-0241/2015)  
ALDE (B8-0255/2015)  
ECR (B8-0257/2015)  
EFDD (B8-0258/2015)  
PPE (B8-0260/2015)  
GUE/NGL (B8-0263/2015)  
S&D (B8-0266/2015)

on South Sudan, including recent child abductions  
(2015/2603(RSP))

**Cristian Dan Preda, Teresa Jiménez-Becerril Barrio, Elmar Brok, Andrey  
Kovatchev, György Hölvényi, Ramona Nicole Mănescu, Jiří Pospíšil,  
Giovanni La Via, Eduard Kukan, Maurice Ponga, Monica Macovei, Bogdan  
Brunon Wentz, Stanislav Polčák, Csaba Sógor, Esther de Lange, Tomáš  
Zdechovský, Lara Comi, Jaromír Štětina, József Nagy, Tunne Kelam, Lars**

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*United in diversity*

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**Adaktusson, Pavel Svoboda, Joachim Zeller, Andrej Plenković, David McAllister, Ivana Maletić, Therese Comodini Cachia, Francesc Gambús, Pascal Arimont, Claude Rolin, Davor Ivo Stier, Kinga Gál, Tadeusz Zwiefka, Marijana Petir**

on behalf of the PPE Group

**Gianni Pittella, Josef Weidenholzer, Kshetu Kyenge, Juan Fernando López Aguilar, Norbert Neuser, Linda McAvan, Catherine Stihler, Alessia Maria Mosca, David Martin, Maria Arena, Marlene Mizzi, Victor Boștinăru, 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, Doru-Claudian Frunzuliță, Arne Lietz, Zigmantas Balčytis, Pier Antonio Panzeri, Momchil Nekov, Hugues Bayet, Afzal Khan, Javi López, Laurențiu Rebegea, Soraya Post, Eric Andrieu, Brando Benifei, Eider Gardiazabal Rubial**

on behalf of the S&D Group

**Charles Tannock, Mark Demesmaeker, Ryszard Czarnecki, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Ryszard Antoni Legutko, Branislav Škripek**

on behalf of the ECR Group

**Petr Ježek, Ivo Vajgl, Ramon Tremosa i Balcells, Ilhan Kyuchyuk, Maite Pagazaurtundúa Ruiz, Urmas Paet, Nathalie Griesbeck, Juan Carlos Girauta Vidal, Hilde Vautmans, Martina Dlabajová, Beatriz Becerra Basterrechea, Marietje Schaake, Dita Charanzová, Javier Nart, Petras Auštrevičius, Gérard Deprez, Marielle de Sarnez, Ivan Jakovčić, Louis Michel, Jozo Radoš, Robert Rochefort, Pavel Telička, Antanas Guoga, Fredrick Federley, Filiz Hyusmenova, José Inácio Faria, Johannes Cornelis van Baalen**

on behalf of the ALDE Group

**Marie-Christine Vergiat**

on behalf of the GUE/NGL Group

**Judith Sargentini, Heidi Hautala, Maria Heubuch, Jordi Sebastià, Michèle Rivasi, Barbara Lochbihler, Bodil Ceballos, Ernest Urtasun, Davor Škrlec, Igor Šoltes**

on behalf of the Verts/ALE Group

**Fabio Massimo Castaldo, Ignazio Corrao, Marco Valli, Piernicola Pedicini**

on behalf of the EFDD Group

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## **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, in particular those of 16 January<sup>1</sup> and 13 November 2014 on the situation in South Sudan<sup>2</sup>,
- having regard to the ceasefire and power-sharing agreement of 2 February 2015 between President Salva Kiir and former Vice-President Riek Machar signed in Addis Ababa under the auspices of the Intergovernmental Authority on Development (IGAD),
- having regard to the statement of 3 February 2015 by UN Secretary-General Ban Ki-moon on peace talks in South Sudan,
- having regard to the communique of 10 February 2015 from the IGAD-UN Office for the Coordination of Humanitarian Affairs (OCHA) high-level meeting on the humanitarian crises in South Sudan,
- having regard to the statement of 25 February 2015 by the Special Representative of the Secretary-General for Children and Armed Conflict,
- 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 UN Security Council Resolutions 2155 (2014) and 2206 (2015) laying the groundwork for targeted sanctions on those who block peace in South Sudan,
- having regard to the Statement of 6 March 2015 by the spokesperson for Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy Federica Mogherini on the failure of parties to the South Sudan conflict to reach a peace agreement,
- having regard to the renewal in 2012 of the South Sudanese action plan to end the recruitment and use of children in government armed forces and other grave violations against children,
- 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,

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<sup>1</sup> Texts adopted, P7\_TA(2014)0042.

<sup>2</sup> Texts adopted, P8\_TA(2014)0053.

- 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 EU Guidelines on Children and Armed Conflict of 2010,
- having regard to International Labour Organisation (ILO) Convention No 182 on the Worst Forms of Child Labour, adopted in 1999, which lists the ‘forced and compulsory recruitment of children for use in armed conflict’ among the worst forms of child labour,
- having regard to the Cotonou Agreement,
- having regard to the Sudanese Comprehensive Peace Agreement (CPA) of 2005,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas on 15 and 16 February 2015, an estimated 89 children, and possibly hundreds more, were abducted in the community of Wau Shilluk in Upper Nile State by a militia group allegedly lead by Johnson Oloni, a commander in the Sudan People’s Liberation Army (SPLA); whereas according to witnesses, armed soldiers surrounded the community and searched every house, with mostly boys older than 12 years of age being taken away by force;

B. 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;

C. whereas following the internal armed conflict that erupted 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 thousands of children have reportedly been killed, raped, displaced and orphaned;

D. whereas an estimated 4 million people are at high risk of food insecurity and insufficiency, with the UN repeatedly warning of a deepening humanitarian crisis and famine, should fighting continue; whereas coupled with a lack of medical care and infrastructure the situation looks set only to deteriorate;

E. whereas the UN Mission in the Republic of South Sudan (UNMISS) is now itself providing safe shelter to more than 100 000 internally displaced people seeking refuge from violence, and has itself come under attack;

F. whereas according to UN estimates, more than half of the population in refugee camps are

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children, who are thus facing significant threats to their physical security, development and wellbeing; whereas South Sudan's infant mortality rates are among the highest in the world and its education indicators are the lowest globally; whereas 400 000 children have left school as a result of the current conflict;

- G. whereas parties to the conflict have attacked civilians based on ethnicity and perceived political allegiance, committed acts of sexual violence and carried out widespread destruction and looting of property;
- H. whereas the different parties to the conflict in South Sudan started negotiations on 7 January 2014 in Addis Ababa under the auspices of the Intergovernmental Authority on Development (IGAD); whereas despite previous agreements to cease hostilities, the most recent of which was a ceasefire agreement signed on 2 February 2015 in Addis Ababa, and continuous efforts by IGAD to negotiate a political solution to the conflict, fighting has continued, characterised by a total disregard for international human rights and humanitarian law, with no accountability for abuses committed in the context of the conflict;
- I. whereas government and rebels failed to meet the deadline of 5 March 2015 set by IGAD to reach a power-sharing agreement and whereas the peace talks have been extended indefinitely; whereas the IGAD chief mediator has announced that the UN and the African Union (AU) may now play a direct role in the negotiations;
- J. whereas a Commission of Inquiry was established by the AU in March 2014, but its final report had not yet been publicly released, despite its having been submitted to the AU Commission in October 2014;
- K. 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;
- L. whereas on 3 March 2015 the UN Security Council unanimously approved a system by which to impose sanctions on those responsible for, or complicit in, continuing the conflict or blocking peace in South Sudan; whereas the sanctions also apply to those who target civilians, or attack hospitals, religious sites, schools or locations where civilians seek refuge, and recruit or use children in armed forces or groups;
- M. whereas despite its parliament voting to ratify, South Sudan is not yet party to any core international or regional human rights treaties, such as 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;
- N. whereas the Statute of the International Criminal Court makes the conscription, enlistment or use in hostilities of children under 15 years of age by national armed forces or armed groups

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a war crime;

- O. whereas a draft non-governmental organisations bill was under consideration in the Parliament of South Sudan which would restrict the right to freedom of association, making registration compulsory, prohibiting NGOs from operating without their being registered, and criminalising voluntary activities carried out without a registration certificate;
  - P. whereas schools continue to be used, inter alia, for military purposes, as occupation sites, or as places of recruitment; whereas as of the end of February 2015, 30 schools were reportedly still being used for military purposes;
  - Q. whereas excluding donor and humanitarian aid, South Sudan's economy is almost entirely dependent on the oil sector, with oil exports accounting for more than 70 % of GDP and about 90 % of government revenue; whereas revenues generated by the oil industry have fuelled violent conflicts;
  - R. whereas the ongoing violence in South Sudan has an unbearable humanitarian cost, with the UN estimating that USD 1.04 billion in humanitarian aid will be needed in 2015; whereas the UN has declared the situation in South Sudan a level-three emergency, the worst level of humanitarian crisis;
  - S. whereas the EU and its Member States provided more than EUR 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. Is deeply concerned by the worsening security and humanitarian situation in South Sudan which could destabilise the whole East Africa region; calls urgently on all 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 educational and public buildings and stop using schools for military purposes, including for the recruitment of child soldiers; recalls, in this connection, its support for the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict;
  2. Expresses deep disappointment that after more than a year of negotiations under the auspices of IGAD, no significant progress has been made; urges all parties to the conflict to reach a power-sharing agreement and fully supports the ongoing negotiation process, calling for an unconditional, complete and immediate ceasefire and end to all hostilities and to the immediate cessation of the recruitment and mobilisation of civilians; calls for efforts to find a way of achieving lasting peace and stability; urges the government and the rebel sides to engage in unconditional and all-inclusive political talks in good faith with a view to the successful conclusion of the negotiations; urges the continuation of efforts by the AU and IGAD to promote inclusive dialogue and mediation;
  3. Calls for the immediate release and safe return of all children recruited by armed forces since the beginning of the conflict in December 2013; reminds urgently all parties involved in the

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conflict that the recruitment and use of children in armed forces and groups is a grave violation of international law;

4. Calls on the SPLA and opposition forces to thoroughly and transparently verify that there are no children left in their ranks and to immediately develop and implement an action plan in coordination with the UN to end grave child rights violations;
5. Recalls the commitment made in 2009, and renewed in 2012, by the South Sudanese authorities to end the recruitment and use of children in conflict, to release all children associated with government security forces, to provide services for the reunification and reintegration of their families, and to investigate grave violations against children; deplores the fact that this commitment has not been fully respected; calls on the parties to fully implement the guidelines set out in the action plan;
6. Calls on the Commission to assist in mobilising resources to help with the 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;
7. Insists upon the need to bridge the gap between humanitarian crisis intervention and long-term development cooperation; takes the view, in particular, that long-term development programming for children affected by armed conflicts (CAACs) needs to focus, inter alia, on child protection systems, education and employment schemes; urges the Commission and the Member States to scale up the provision of humanitarian support and to provide for access to resources for local farmers and producers;
8. Urges the AU Peace and Security Council to publish the report of the AU Commission of Inquiry on South Sudan (AUCISS) on human rights abuses in the country and to follow up on its findings without further delay;
9. Underlines the fact that publication of the report is a crucial step towards peace and reconciliation; recognises that all South Sudanese people have the right to truth and justice and that hundreds of victims and witnesses of atrocities have made huge personal efforts to engage with the AUCISS, often taking significant personal risks in recounting painful experiences in order to contribute to a more complete record of the conflict;
10. Requests that the Commission and the European External Action Service actively support the implementation of recommendations by the committee of inquiry, including as regards the possible establishment of a hybrid court to deal with the atrocities, as suggested by the UN Secretary-General;
11. Welcomes the adoption of UN Security Council resolution 2206, which would impose targeted sanctions directly affecting those who have fuelled the conflict, and calls for its immediate implementation; underlines the need for the adoption of a comprehensive arms embargo at regional and international level to halt the supply of weapons to individuals and groups that have committed serious violations of human rights, war crimes and crimes

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against humanity, and to protect civilians who are at grave risk;

12. Calls on the Government of South Sudan to conduct prompt, thorough, impartial and independent investigations into human rights abuses with a view to prosecuting and holding accountable individuals suspected of crimes under international law and serious violations of human rights, including the abduction and recruitment of children in armed conflict and sexual violence against women and children;
13. Recalls the IGAD Protocol of 25 August 2014 which states specifically that individuals identified by the AUCISS as being responsible for serious crimes will not be eligible for participation in the Transitional Government;
14. Calls on the Government of South Sudan to urgently finalise legislative amendments which criminalise the recruitment and use of children, to use this legislation to prosecute offenders and to finalise the implementation of international agreements, including the 2002 Optional Protocol to the Convention on the Rights of the Child and to accede to the Rome Statute of the International Criminal Court;
15. Calls on the Government of South Sudan to reject legislation that would restrict the sectors in which NGOs and associations can carry out their work, which would severely inhibit the development of society and humanitarian relief efforts;
16. Calls on the Government of South Sudan to fulfil its responsibility to provide for its people and encourage international donors to increase support for the aid effort and, given the scale and urgency of the needs, calls on the international community to convene a new international donor conference for South Sudan when all conditions for peace have been met and a mechanism of proper distribution of revenues is established;
17. Urges responsible management of South Sudan's natural resources to ensure that oil revenues do not fuel the conflict; calls on the negotiating parties to include transparency and public scrutiny in the oil sector in the peace talks and any final agreement, in such a way as to allow for the revenue from this resource to be used for the sustainable development of the country and to improve the livelihood of its population;
18. 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 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.

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