



EUROPEAN PARLIAMENT

Plenary Sitting

13/03/2018

JOINT MOTION FOR A RESOLUTION

pursuant to recent debates

on the **Situation in Syria**

tabled by... on behalf of the EPP group

tabled by.... on behalf of the S&D group

tabled by.... on behalf of the ECR group

tabled by Marietje Schaake, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Gérard Deprez, Marian Harkin, Ivan Jakovcic, Ilhan Kyuchyuk, Louis Michel, Urmas Paet, Mait Ruiz Pagazaurtundúa, Jozo Rados, Frédérique Ries, Jasenko Selimovic, Pavel Telicka, Ivo Vajgl, Hilde Vautmans, Cecilia Wikström

on behalf of the ALDE group

tabled by.... on behalf of the Greens/EFA group

tabled by... on behalf of the EFDD group

European Parliament resolution on the Situation in Syria

The European Parliament,

- having regard to its previous resolutions on Syria, in particular that of 18 May 2017 on the EU strategy on Syria,
- having regard to the Universal Declaration of Human Rights in 1948, and other UN human rights treaties and instruments, including the UN Convention on the rights of Child
- having regard to the Geneva Conventions of 1949 and additional protocols thereof
- having regard to the Statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and in particular the ones of 9 July 2017 on ceasefire in Syria, of 25 November 2017 on the conference of the Syrian Opposition in Riyadh, of 23 February 2018 on the massacre in Eastern Ghouta and her remarks upon arrival to the Foreign Affairs Council meeting on 26 February 2018
- having regard to the Joint Statements by the HR/VP Mogherini and Commissioner Stylianides on the recent attacks in Syria of 3 October 2017, on the humanitarian situation in Eastern Ghouta and Idlib of 20th February 2018 and the one on the situation in Eastern Ghouta and elsewhere in Syria of 6 March 2018,
- having regard to the Speech by High Representative/Vice-President Federica Mogherini at the European Parliament Plenary Session on the human rights situation in Turkey and the situation in Afrin, Syria on 6 February 2018
- having regard to Council Decision 2011/273/CFSP of 9 May 2011 concerning restrictive measures against Syria and having regard to the Council conclusions on adding two new ministers to the sanctions list of 26 February 2018,
- having regard to the Joint Communication to the European Parliament and the Council on Elements for an EU Strategy for Syria^[1] and to the Council conclusions on Syria of 3 April 2017, which together form the new EU strategy for Syria
- having regard to the Co-Chairs' Declaration on the Conference on "Supporting the future of Syria and the region" of 5 April 2017, and to previous conferences on the situation in Syria, held in London, Kuwait, Berlin and Helsinki
- having regard to the Statements by UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein to the Human Rights Council in Geneva on the situation in Syria, in particular his statement on 26 February 2018, the one of 2nd March 2018 and his oral update on the activities of his Office and recent human rights developments on 7 March 2018,
- having regard to the Statements attributable to the Spokesman for the Secretary-General on Eastern Ghouta in the Syrian Arab Republic of 20 February 2018 and 24 February 2018

- having regard to the Charter of the United Nations and to all the UN conventions to which Syria is a State Party,
- having regard to the UN Security Council Resolutions, in particular resolution 2254 (2015) of 18 December 2015, resolution S/RES/2393 of December 2017 on authorisation for cross-border and cross-line aid delivery in Syria and resolution 2401 on 30-day cessation of hostilities in Syria to enable humanitarian aid delivery
- having regard to the reports of the Independent International Commission of Inquiry on Syria, established by the United Nations Human Rights Council (UNHRC), and to the UNHRC resolutions on the Syrian Arab Republic, in particular the one on the deteriorating situation of human rights in Eastern Ghouta of 5 March 2018
- having regard to the UN General Assembly resolution A-71/248 on International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 of 24 February 2018.
- having regard to the Rome statute and the ICJ founding documents, having regard to ad hoc tribunals, including the ICTY, ICTR, STL,
- having regard to the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by Iran, Russia and Turkey on 6 May 2017
- the report published by the United Nations Population Fund in 2017 “Voices from Syria 2018 - Assessment Findings of the Humanitarian Needs Overview
- having regard to the Carnegie Middle East Centre statement of 5 March 2018 on the reported meeting of the head of the Syrian National Security Bureau Ali Mamlouk, included in the EU sanctions list, with the Italian Interior Minister and the director of the Agency for Information and External Security in Rome, in flagrant violation of the Council Decision 2011/273/CFSP
- having regard to Rule 123(2) and (4) of its Rules of Procedure

A. whereas Syria’s seven-year-long civil conflict continues, despite several international efforts to ensure a ceasefire and set the bases for a negotiated solution; whereas, as consequence, the humanitarian situation in the country remains devastating; whereas 13 million people are registered as in need of some form of humanitarian aid, with 6 million of them being children; whereas 6.1 million people are internally displaced, 3 million civilians lives in besieged areas and over 5 million are registered Syrian refugees residing in the neighbouring regions; whereas at least 400,000 Syrian lives have been lost during the conflict;

B. whereas areas and cities, such as Idlib, eastern Ghouta, Yarmouk, Foua, and Kefraya, have long suffered blockades with serious consequences for the civilian population and no possibility to deliver humanitarian aid in a sustainable way due to the military offensive and bombardments of the Syrian regime against its own people with the support of Russia and Iran; whereas Eastern Ghouta has been under siege by the Syrian regime and its allies for 5 years – with civilians, including children, schools and medical facilities subjected to air bombardments, shelling and the use of chemical weapons, causing hundreds of deaths in the area; whereas terrorist groups in Eastern Ghouta have been accused to be responsible for shelling civilian districts in Damascus

- C. whereas the situation in eastern Ghouta is so critical that the UN Secretary-General, António Guterres, has described it as “hell on earth; whereas the people of Eastern Ghouta have been blockaded from any form of aid since 14 February when a single convoy reached just 7,200 people out of the 400,000 living in this area; whereas a UN aid convoy finally managed to enter Douma on March 5, reaching 27,500 people in need of food and medical supplies; whereas the Syrian regime removed critical medical items from the convoy;
- D. whereas on 24 February 2018, the UN Security Council adopted Resolution 2401, in which the Council demanded that all parties to the conflict cease hostilities without delay for at least 30 consecutive days to enable the safe, unimpeded and sustained delivery of humanitarian assistance and medical evacuations of the critically sick and wounded, in accordance with applicable international law; whereas the UNSC resolution 2401 has not been implemented by the Syrian Regime and Russian and Iranian forces, despite repeated calls from the international community; whereas the military uses the 'liberation' of the region as a pretext to continue targeting civilians; whereas Russia has vetoed 11 UNSC resolutions in the past years, including the one addressed to renew the UN-OPCW joint investigative mechanism in November 2017 and has played an active role in limiting the content of the resolutions
- E. whereas the attacks and the use of starvation of civilians through besiegement of populated areas and the forced displacement of population, including with the aim of a demographic change, as war tactics constitute clear breaches of international humanitarian law; whereas posing obstacles to evacuations and to humanitarian aid and medical care constitute blatant violations of international humanitarian law and of several UN Security Council Resolutions
- F. whereas Turkey's Operation “Olive Branch” in the Kurdish-controlled province of Afrin has added a new element in the conflict in Syria, raising additional humanitarian concerns and worries of negative impacts on the delicate internal balances in Syria and/or the efforts for a negotiated solution; stresses that an important number of civilian casualties have been already reported and that other hundreds of civilian lives are at risk; whereas the HR/VP on behalf of the EU has clearly voiced these concerns, asking from Ankara to stop its offensive and highlighting the need to concentrate efforts in defeating the UN-listed terrorist organisations
- G. whereas the violations committed during the Syrian conflict by the Assad regime and its allies and terrorists groups include targeted, indiscriminate including with chemical weapon attacks on civilians, extrajudicial killings, torture and ill-treatment, enforced disappearances, mass and arbitrary arrests, collective punishment, attacks against medical personnel and the denial of food, water and medical aid; whereas these crimes have so far gone unpunished
- H. whereas ISIS/Da'esh and other jihadist movements have committed atrocities and grave violations of international law including the use of brutal executions and sexual violence, abductions, torture, forced conversions and slavery of women and girls; whereas children are recruited and used in terrorist activities; whereas there are serious concerns about the use of civilians as human shields under extremist held areas; whereas these crimes amount to war crimes, crimes against humanity and genocide;

- I. whereas in the current situation the democratic opposition is weakened and civilians are trapped between either jihadist terrorists, Islamic fundamentalists or supporters of the Assad regime;
 - J. whereas on 26 February 2018, the Council added the Minister of Industry and the Minister of Information of the government of Syria to the list of those targeted by EU restrictive measures against the Syrian regime in view of the gravity of the situation in the country
 - K. whereas it is the obligation of the international community and individual states to hold those responsible for violations of international human rights and humanitarian law committed during the Syrian conflict to account, including through the application of the principle of the universal jurisdiction as well as national law; whereas this can be done either under existing national and international remedies, including national courts and international tribunals or under ad hoc international criminal tribunals yet to be established; whereas in addition to such personal criminal accountability, states can under certain conditions also be prosecuted for breaches of obligations under international treaties and conventions over which the International Court of Justice has jurisdiction, including the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the 1948 Convention on the Prevention and Punishment of the Crime of Genocide
 - L. whereas the European Union remains committed to the success of the negotiations conducted under the auspices of the UN Special Envoy for Syria, known as the Geneva process; whereas the EU continues to support this process, including through the organisation of the second Brussels Conference on the "Future of Syria and the region" due to take place on 24 and 25 April 2018;
 - M. whereas Geneva based negotiations have so far not led to advances in finding a peaceful solution to the crisis in Syria following the 9th round in Vienna on 25-26 January 2018; whereas on 4 May 2017 Russia, Iran and Turkey reached a deal in Kazakhstan to establish four de-escalation zones that have not been respected and protected by the guarantors; whereas the Syrian National Dialogue Congress that took place in Sochi on 30 January 2018 announced the creation of a Constitutional Committee that not been accepted by all parties;
 - N. whereas the situation in Syria and the lack of a comprehensive, genuine and inclusive political transition continues to impede the full implementation of the EU Strategy on Syria and, in particular, the substantial assistance that the Union can provide for the reconstruction of the country
 - O. whereas since the outbreak of the war, the EU and Member States have mobilised more than €10.4 billion towards addressing the humanitarian needs resulting from the Syrian crisis, both internally and externally in the neighbouring region, making it the largest donor; whereas the EU has also substantially supported and praised the neighbouring refugee-host countries;
1. Strongly condemns, once again, in the strongest terms all atrocities and the widespread violations of human rights and international humanitarian law committed during the conflict, and in particular the perpetrations committed by forces of the Assad regime including with the

support of its allies Russia and Iran, as well as by the UN-listed terrorist organisations; Deplors the fact that at least 400,000 people have been killed, and thousands more injured by bombing, shelling and other military means in Syria during seven years of conflict, thousands more injured, and millions displaced, with civilians denied access to food, water, sanitation, and healthcare due to lengthy sieges of densely populated areas; expresses its grave concern over the violence spiralling in many parts of the country, as is the case in Eastern Ghouta, Afrin and Idlib;

2. Deeply regrets the failure of repeated regional and international attempts to end the war, and urges renewed and intensive global cooperation to achieve a peaceful, sustainable solution to the conflict; stresses that the international community provided insufficient support to the democratic opposition; reaffirms the primacy of the UN-led Geneva process and supports the efforts of the UN Special Envoy for Syria, Staffan de Mistura to achieve a genuine and inclusive political transition, in line with UNSCR 2254, negotiated by all Syrian parties and with the support of key international and regional actors; underlines the importance of finding a political solution to the conflict; remains committed to the unity, sovereignty, territorial integrity and independence of Syria

3. Condemns in the strongest terms the ongoing violence in Eastern Ghouta, despite the unanimous adoption of UNSC Resolution 2401, and urgently calls on all parties, in particular the Assad regime, Russia and Iran to fully and urgently implement and respect it ensuring the immediate, safe, unimpeded and sustained delivery of humanitarian assistance, the evacuation of the critically sick and wounded, and the alleviation of the suffering of the Syrian people; Fully supports the call for all parties to the conflict to cease hostilities without delay for at least 30 consecutive days; reiterates the call that all parties, in particular the Syrian authorities, should adhere to their responsibility to protect the Syrian population and to immediately halt all attacks against civilians in Syria; calls on the guarantors of the ceasefire in the de-escalation areas to follow through with their responsibilities towards putting an end to the violence and crimes committed and to permit and guarantee unhindered access to these zones; notes the decision to hold a new Summit of the three Astana Process' countries in April to discuss Syria and potential steps in the region; reminds that these steps should in no way contradict or undermine the UN-sponsored talks/ Geneva process

4. Reminds those within the regimes of Syria, Russia and Iran that they are responsible under international law for the heinous crimes they continue to commit in Syria and that those perpetrating such crimes, be they states or individuals, will be held to account;

5. Strongly regrets the repeated Russian vetoes in the Security Council and the fact that no agreement was possible on the renewal of the mandate of the OPCW-UN Joint Investigative Mechanism (JIM), before it expired on 17 November 2017; considers shameful this attitude by a permanent member of the Security Council with special responsibility for maintaining international peace and security; reminds that, in the eyes of the world, the obstruction of international investigations is more a sign of guilt rather than anything else;

6. Continues to be seriously worried about the escalating situation in Afrin, including the potential of a confrontation of Turkish forces with the Assad or Russian forces and the rising of tensions with the United States; calls on Ankara to withdraw its troops and to play a constructive role towards the Syrian conflict, also in its national self-interest; echoes the position of the EU High Representative that the opening of new fronts in Syria does not serve the interest of Turkey's security and warns against a further deterioration of the country's

humanitarian crisis; demands full respect for humanitarian law, including the protection of civilians and calls for a ceasefire throughout Syria and, therefore, including Afrin

7. Reaffirms its support for the efforts of the “Global Coalition against Daesh”; underlines that the Coalition and Syrian partner forces have made significant progress in the campaign to defeat Daesh in Syria; recalls that any measures taken to combat Da’esh and other UNSC-recognised terrorist groups must strictly comply with international law; calls on the Member States and their allies to ensure transparency, accountability and full compliance with international humanitarian and human rights law

8. Urges, once again, safe, timely and unhindered humanitarian access throughout the whole territory of Syria and welcomes UNSC resolution 2393 (2017) that renewed the authorisation for cross border and cross conflict line humanitarian access to Syria for a further 12 months period (until 10 January 2019); encourages the United Nations and their implementing partners to continue to take steps to scale up humanitarian deliveries into hard-to-reach and besieged areas, including by using, as effectively as possible, border crossings under UN Security Council Resolution 2165; Supports the call for humanitarian mine action to be accelerated as a matter of urgency throughout Syria and reminds all parties to the conflict that hospital and medical personal are explicitly protected under international humanitarian law; deplores the various cases of sexual abuse and misconduct found to have occurred within international aid organisations including the sexual exploitation of Syrian refugees by those delivering aid on behalf of the UN and well known international organisations; strongly declares that it should not be any tolerance for such acts; urges thorough investigation and punishment of all those responsible;

9. Stresses that there should not be any tolerance and impunity for the horrific crimes committed in Syria including the ones against religious, ethnic and other groups and minorities; reiterates its call for independent, impartial, thorough and credible investigations and prosecutions of those responsible and supports the work of the International, Impartial and Independent Mechanism on international crimes committed in the Syrian Arab Republic since March 2012 (IIIM); notes with satisfaction the EU’s decision to provide €1.5 million financial support to the mechanism through its Instrument contributing to Stability and Peace; stresses, however, that support will be needed beyond the 18 months of the programme; underlines the importance that Member States meet their pledges and expects the issue of IIIM funding to be raised and settled in the Brussels II Conference; calls, furthermore, for support for civil society organisations and NGOs, which are collecting and help preserving evidence of human rights abuses and humanitarian law violations;

10. Remains convinced that there can be no effective conflict resolution or sustainable peace in Syria without accountability for the crimes committed and calls for the adoption of an EU accountability strategy towards the atrocity crimes committed in Syria; reiterates its support for the principle of universal jurisdiction in tackling impunity and welcomes steps taken by a number of EU member states to this effect; additionally welcome initiatives by member states to make grave violations of international law an offensive under their national laws; reiterates its call on the EU and its Member States to explore, in close coordination with like-minded countries, the creation of a Syrian war crimes tribunal, pending a successful referral to the ICC; notes the important work of the EU Network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes and calls on the VP/ HR and DG Justice to support and include the Network in future accountability efforts for Syria

11. Demands respect by all for the right of ethnic and religious groups and minorities in Syria, including Christians and anyone displaced, to continue to live in or return to their historical and traditional homelands in dignity, equality and safety, and to fully and freely practise their religion and beliefs without being subjected to any kind of coercion, violence or discrimination; supports interreligious dialogue in order to promote mutual understanding and counter fundamentalism;

12. Remains distressed by the continued disappearance of human rights defender and Sakharov Prize laureate, Razan Zeitouneh since December 2013, reportedly kidnapped in Douma by the armed group Jaysh al-Islam; calls for an EU task force to be established in order to coordinate and enhance efforts to seek her whereabouts and ensure her release

13. Calls upon the HR/VP to undertake all efforts to reinvigorate the UN mediated peace talks and to demand a more active role in these negotiations, making use of the EU's financial capacity and willingness to commit significant resources to Syria's reconstruction; urges the HR/VP to more closely involve and actively back Syrian civil society and those who want a democratic, pluralistic and inclusive Syria in her endeavours for the future of the Syrian people starting with the 2nd Brussels Conference in April 2018; encourages the HR/VP to work with the Syrian people to develop localized reconstruction strategies for the various parts and regions of Syria; underlines that the EU should consider all available options in working with its international partners, including aerial aid droppings and the establishment of no-fly zones under a UNSC Resolution

14. Welcomes the EU-hosted Syria Brussels II conference that will take place on 24-25 April with the aim to express and put into practice the full political and economic support of the international community for the Geneva process for the Syrians in need and the countries hosting Syrian refugees; acknowledges the impressive solidarity demonstrated by Jordan, Lebanon, and Turkey towards refugees and calls for stepping up the EU and Member States' financial support aimed at addressing urgent needs of refugees and their host communities; cautions against starting any reconstruction effort before a UN negotiated political agreement involving all parties is in place; calls on the HR/VP to more fully include civil society organisations in the conference; calls in this respect for increased support for peaceful and democratic Syrian civil society organizations and human rights defenders, including through the EU Madad Fund, the European Instrument contributing to Stability and Peace and the European Instrument for Democracy and Human Rights; calls upon the international community to fulfil their outstanding pledges for humanitarian support in Syria and its neighbouring countries;

15. Stresses that the EU's efforts in providing humanitarian support and planning for the future of Syria are commendable; recalls that in line with the EU strategy, the EU has committed not to provide assistance to the reconstruction of Syria unconditionally but only when a comprehensive, genuine and inclusive political transition, negotiated by the Syrian parties in the conflict on the basis of UNSCR 2254 and the Geneva Communique, is firmly underway; underlines that the Assad regime, Putin's Russia and Iran bear primary responsibility from the economic consequences of their military interventions; notes that any reconstruction commitments, based on a bottom-up approach and the successful empowerment of local actors, thereby excluding known terrorist groups, must be leveraged towards peace and accountability;

16. Strongly condemns the use of children in combats or terrorist attacks; stresses the fundamental importance of protecting children and prioritising their access to education,

including for refugee children in neighbouring countries and to support the psychological rehabilitation of these traumatised children

17. Expresses concerns about the reported return of 66000 refugees to Syria in 2017 and underlines the need to fully respect the principle of non-refoulement; stresses that Syria is not safe for refugee returns and that the EU must not support such returns; reiterates its call on the EU member states to honour their own commitments, including those laid down in the New York Declaration, and ensure responsibility-sharing, allowing refugees fleeing the Syrian war zones to find protection beyond the immediate neighbouring region, including through resettlement and humanitarian admission schemes

18. Welcomes the addition of two Syrian ministers in the EU restrictive measures against Syria, who were appointed in January 2018 and bear responsibility for repressive action against the Syrian people; Urges all Member States to ensure full compliance with Council Decision 2013/2255/CFSP on restrictive measures against Syria and in particular the freezing of assets of individuals listed therein and the restrictions on admission of persons benefiting from or supporting the regime in Syria; condemns the recent reports of violations of this decision and reminds Member States of their obligation under international law to ensure the arrest and detention of suspects of atrocity crimes present on their territory; calls for targeted sanctions to be imposed on Russia and Iranian officials following their targeted and deliberate actions against the civilian populations in Eastern Ghouta as well as in the rest of Syria;

19. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the EU member states, the United Nations, the members of the International Syria Support Group and all the parties involved in the conflict, ensuring translation of this text into Arabic.