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P8_TA(2015)0229

# Syria: situation in Palmyra and the case of Mazen Darwish

**European Parliament resolution of 11 June 2015 on Syria: situation in Palmyra and the case of Mazen Darwish (2015/2732(RSP))**

(2016/C 407/08)

*The European Parliament*,

— having regard to its previous resolutions on Syria, including that of 30 April 2015 ([1]),

— having regard to the Commission communication of 6 February 2015 entitled 'Elements for an EU regional strategy for Syria and Iraq as well as the Da'esh threat',

— having regard to the statements and reports by the UN Secretary-General and the UN High Commissioner for Human Rights on the conflict in Syria,

— having regard to the reports of the Independent International Commission of Inquiry on Syria, established by the United Nations Human Rights Council,

— having regard to the Rome Statute of the International Criminal Court adopted on 17 July 1998, in particular Article 8 (2)(b)(ix) thereof, which states that intentionally directing attacks against historic monuments constitutes a war crime,

— having regard to its resolution of 30 April 2015 on the destruction of cultural sites perpetrated by ISIS/Da'esh ([2]),

— having regard to Article 167 of the Treaty on the Functioning of the European Union (TFEU), which states that 'the Union and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of culture',

— having regard to Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods,

— having regard to the resolution on the creation of an informal network of law enforcement authorities and expertise competent in the field of cultural goods (EU CULTNET) adopted by the Council at its meeting of 25 and 26 October 2012,

— having regard to the Second Protocol (1999) to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict,

— having regard to the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, of 21 May 2015 on the situation in Palmyra; and having regard to the statement by the Spokesperson of High Representative Catherine Ashton of 17 February 2012 condemning the arrest of Mazen Darwich, and to the Local EU Statement of 3 April 2012 on the continued detention without charge of Mr Mazen Darwish and seven other human rights defenders,

— having regard to the EU Guidelines on Human Rights Defenders, adopted in June 2004, and updated in 2008,

— having regard to UN Security Council Resolution 2222 (2015),

— having regard to the Universal Declaration of Human Rights,

([1]) Texts adopted, P8_TA(2015)0187.
([2]) Texts adopted, P8_TA(2015)0179.

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— having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas over 220 000 people, mostly civilians, have lost their lives since the beginning of the conflict in Syria in 2011; whereas massive and recurrent violations of human rights and international humanitarian law have been committed by the Assad regime, IS/Da'esh, al-Nusra and the other parties involved in conflict; whereas the overwhelming majority of these crimes have so far gone unpunished;

B. whereas the use of torture, mass arrests and widespread destruction of populated areas have dramatically escalated over the past few months; and whereas large numbers of Syrians are being displaced, some even being forced to move further away from the humanitarian assistance they need;

C. whereas IS/Da'esh have killed at least 400 people, including women and children, in Palmyra since capturing the ancient Syrian city and, according to the Syrian Observatory for Human Rights, have executed at least 217 people and detained another 600, including women and children accused of having dealings with the regime's forces and hiding regime members in their houses;

D. whereas the capture of the city of Palmyra was followed by ferocious air strikes by pro-Assad forces, which killed more than a dozen civilians and led to many of the remaining inhabitants fleeing;

E. whereas after a fresh offensive in April-May 2015 IS/Da'esh captured Ramadi on 17 May 2015 and Palmyra on 21 May 2015, bringing 50 % of Syrian territory under its control; whereas the transnational nature of the so-called Islamic State, which has significant financial resources and around 200 000 fighters, according to some sources, poses a threat to the wider region; whereas thousands of foreigners, including EU citizens, are estimated to be fighting with these armed groups; whereas the upsurge of IS/Da'esh has exacerbated the humanitarian crisis, notably with a massive displacement of civilians;

F. whereas on 5 June 2015 the members of the UN Security Council expressed outrage at the high level of violence and all attacks against civilians in Syria and condemned the terrorist attacks carried out by IS/Da'esh, al-Nusra and other terrorist groups operating in the country,

G. whereas Palmyra is situated between Damascus and the eastern city of Deir al-Zour and has important gas fields and phosphate mines in its vicinity; whereas the capture of Palmyra coincided with IS/Da'esh's conquest of Ramadi in Iraq's Anbar province, but also came shortly after IS/Da'esh's territorial losses around Tikrit;

H. whereas Palmyra, which is more than 2 000 years old, is an immensely important cultural site and is included on UNESCO's World Heritage list; whereas on 21 May 2015 the Director-General of UNESCO appealed for an immediate cessation of hostilities in the city;

I. whereas Palmyra is a symbol of Syria's rich cultural heritage, containing the monumental ruins of a great city that was one of the most important cultural centres of the ancient world; whereas IS/Da'esh's mass killings and acts of destruction of archaeological and cultural heritage have been considered, under certain circumstances, to constitute crimes against humanity and 'cultural cleansing', and amount to a war crime according to the Rome Statute of the International Criminal Court; whereas these systematic attacks on cultural heritage were described by UNESCO Director-General Irina Bokova as 'cultural cleansing';

J. whereas IS/Da'esh is systematically attacking and destroying the cultural heritage of both Iraq and Syria as a tactic of war to spread terror and hatred; whereas, as a result of IS/Da'esh's capture of Palmyra, the historical heritage of this city is under threat of destruction;

K. whereas in the EU's regional strategy for Syria and Iraq and the IS/Da'esh threat, which was adopted by the Foreign Affairs Council on 16 March 2015, the EU strongly condemns the deliberate destruction of archaeological and cultural heritage, and notes that such actions may amount to a war crime within the meaning of the Rome Statute of the International Criminal Court (ICC);

L. having regard to the three-year Emergency Safeguarding of the Syrian Heritage project launched by UNESCO and other partners with a view to protecting the country's cultural heritage;

M. whereas illicit trade in cultural goods is now the third most significant illegal trade after drugs and arms, whereas this illicit trade is dominated by organised criminal networks, and whereas current national and international mechanisms are neither adequately equipped nor supported to tackle the issue; whereas the EU has taken all the appropriate steps in accordance with UN Security Council Resolution 2199 (2015) to prevent the illegal trade in cultural property;

N. whereas since the beginning of the Syrian conflict in March 2011 there have been widespread and grave human rights violations, in particular the deliberate targeting, arbitrary detention and disappearance of independent journalists, human rights defenders, humanitarian workers and medical personnel, subjected to threats, violence, arbitrary arrest and disappearance in Syria;

O. whereas Mazen Darwish, a Syrian journalist and activist and president of the Syrian Centre for Media and Freedom of Expression, has been imprisoned since 2012, as have Hani Al-Zaitani and Hussain Ghrer, for their work defending freedom of expression; whereas Mazen Darwish was reportedly subjected to severe torture and ill-treatment and on 6 May 2015 was taken to an unknown location; whereas Mazen Darwish has been awarded the 2015 UNESCO Press Freedom Prize, as well as other important international awards, such as the Preis der Lutherstädte — 'Das unerschrockene Wort' 2015, the Bruno-Kreisky-Preis für Verdienste um die Menschenrechte 2013, and the PEN-Pinter Prize 2014; whereas the continued imprisonment of Mazen Darwish, Hani Al-Zaitani and Hussain Ghrer is further evidence of the repressive nature of Bashar al-Assad's regime in Syria;

P. whereas in Resolution 67/262 of 15 May 2013 the UN General Assembly demanded that the Syrian authorities immediately release all persons arbitrarily detained, including the members of the Syrian Centre for Media and Freedom of Expression;

Q. whereas on 19 February 2015 the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, urged the Syrian authorities to release all those being held in prison for having peacefully expressed their views, including Mazen Darwish;

R. whereas hundreds of human rights defenders have been subjected to threats, violence, arbitrary arrest and disappearance in Syria; whereas this includes human rights lawyer and 2011 Sakharov Prize laureate Razan Zeitouneh, who was abducted in Duma on 9 December 2013;

1. Strongly condemns the gruesome systematic and widespread human rights abuses, violations of international humanitarian law committed by the al-Assad regime, terrorists belonging to IS/Da'esh and other jihadi groups in Syria, and the sentences and charges against political, civil and human rights activists, bloggers and journalists; reiterates its absolute condemnation of torture, intensified shelling and the use of aerial bombardment, including barrel bombs, by the Syrian Government; expresses its deep sympathy to the victims; remains profoundly dismayed by the harrowing level of human suffering and loss of life in the Syrian conflict and is extremely concerned at the deterioration of the humanitarian and security situation in Syria;

2. Condemns IS/Da'esh's seizure of Palmyra on 21 May 2015 following a nine-day assault that cost many lives and the fact that it has since murdered at least 217 people in and around the city and continued to commit widespread abuses and atrocities in the 'caliphate' it has proclaimed in the areas it controls in Syria and Iraq;

3. Expresses its concern for the situation at the site of Palmyra and the thousands of Palmyra residents inside the city, as well as for those displaced as a result of IS/Da'esh's advance and for the women and children in Palmyra, noting IS/Da'esh's pattern of abducting, exploiting, and abusing women and children elsewhere, including rape, sexual abuse, forced marriage and forced child recruitment;

4. Encourages the Council, the Commission and the High Representative to make all necessary financial and human resources available to assist the refugees;

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5. Welcomes the commitment to redouble collective efforts to defeat IS/Da'esh made at the ministerial meeting of the international coalition against IS/Da'esh in Paris on 2 June 2015; calls on the coalition to step up efforts to implement a common, multi-dimensional and long-term strategy to weaken and eventually eradicate IS/Da'esh; stresses the need to complement this strategy with strengthened cooperation with all regional state and non-state actors committed to fighting IS/Da'esh;

6. Remains convinced that there can be neither effective conflict resolution nor sustainable peace in Syria without accountability for the crimes committed by all sides during the conflict;

7. Points out that a sustainable solution to the crisis in Syria can be achieved only through an inclusive political settlement based on the Geneva Communiqué of 30 June 2012 and supported by the international community; calls on the UN Special Envoy Staffan de Mistura to work with all parties towards a genuine political transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their own future;

8. Expresses serious concern at the severe lack of funding for UN appeals in 2014, which has led to the temporary suspension of World Food Programme assistance to Syrian refugees; urges the international community, therefore, to step up its funding and assistance in response to forthcoming appeals;

9. Calls on the international community to increase the efforts to find solutions in order to mitigate the crisis and end the war in Syria and voices its support for those engaged in combating IS/Da'esh in Syria and Iraq; calls on the governments of the region to work together, as close cooperation on security matters is the only means of bringing peace and security to the region;

10. Calls on the international community to do everything in its power to protect the civilian population and safeguard the unique cultural heritage of Palmyra, and calls on all parties for an immediate end to hostilities in Palmyra and for the safe passage of civilians fleeing the violence;

11. Demands an immediate halt to the destruction of the cultural heritage of Syria and Iraq, including religious sites and objects; emphasises that no such acts committed by IS/Da'esh or other individuals, groups, undertakings and entities can be tolerated, and also calls for the preservation of the cultural heritage of Iraq by protecting cultural and religious property and sites in accordance with international humanitarian law;

12. Urges the EU and the Member States to launch awareness-raising campaigns in order to discourage the illicit purchase and sale of cultural goods from the conflict areas;

13. Reiterates the high value of the cultural heritage for the whole of humanity and therefore considers that its destruction should be regarded as an indefensible war crime;

14. Underlines the need for joint efforts by the international community to prevent the illegal trade in cultural property and the illicit trafficking of cultural artefacts, which contributes to the financing of IS/Da'esh;

15. Endorses the statements made by the Director-General of UNESCO and all special measures taken by the UN and UNESCO with a view to protecting Palmyra and any other cultural and historical sites that come under threat;

16. Calls on the UN Secretary-General to refer the issue of the protection of all cultural sites under threat from terrorist groups including IS/Da'esh to the Security Council, with a view to the adoption of a resolution on the matter;

17. Calls on the Member States and the EU institutions to take practical steps, in cooperation with the United Nations, to protect cultural, historical, religious and archaeological sites that are under threat in Palmyra and the Middle East as a whole;

18. Welcomes and underlines the critical importance of the work of local and international civil society organisations in documenting human rights violations, evidence of war crimes, crimes against humanity and other violations; expresses its deepest admiration and solidarity for all the Syrian activists who continue tirelessly to monitor, document and report on the human rights situation in their war-torn country, at the risk of their own lives;

19. Is deeply concerned about the ever-spiralling degradation of the humanitarian and human rights situation in Syria and stresses the need to respect freedom of expression and the freedom of human rights defenders to carry out their work, in line with Syria's international obligations; points out that every individual has a right to freedom of opinion and expression, and that this is a fundamental human right; condemns all violations of press freedoms and all acts of violence against journalists in Syria;

20. Calls on the Syrian authorities to immediately and unconditionally release and drop all charges against Mazen Darwish and all those detained, convicted and/or sentenced for peacefully exercising their right to freedom of expression and association, as well as all human rights defenders and political rights activists arbitrarily deprived of their liberty on the basis of their human rights activities;

21. Urges the Syrian authorities to disclose the fate and the whereabouts of the three men immediately, and to ensure that they are protected from torture and ill-treatment, allowed immediate contact with their families and lawyers, and provided with any medical attention they may require;

22. Urges all Member States to ratify the International Convention for the Protection of All Persons from Enforced Disappearance as a matter of priority; calls on the European External Action Service (EEAS) and the Member States to promote universal ratification and the implementation of this key human rights instrument and to support the work of the UN Committee on Enforced Disappearances, established under this Convention;

23. 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 Member States, the Secretary-General of the United Nations, the UN-Arab League Special Envoy to Syria, and all the parties involved in the conflict in Syria.