Thursday 18 May 2017

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EU Strategy on Syria

European Parliament resolution of 18 May 2017 on the EU strategy on Syria (2017/2654(RSP))

(2018/C 307/18)

The European Parliament,

— having regard to its previous resolutions on Syria,

— having regard to the Joint Communication of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament and the Council of 14 March 2017 entitled 'Elements for an EU Strategy for Syria' (JOIN(2017)0011) and to the Council conclusions on Syria of 3 April 2017, which together make up the new EU strategy on Syria,

— having regard to the Co-Chairs Declaration of 5 April 2017 on the Conference on 'Supporting the future of Syria and the region',

— having regard to the Statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 30 December 2016 on the announcement of a cessation of hostilities in Syria and of 23 March 2017 on Syria, and to the Declaration by the VP/HR on behalf of the EU of 9 December 2016 on the situation in Aleppo,

— having regard to the Declarations by the VP/HR of 6 April 2017 on the alleged chemical attack in Idlib, Syria, and of 7 April 2017 on the US strike in Syria,

— having regard to the Council decisions on EU restrictive measures against those responsible for violent repression in Syria, including those of 14 November 2016 and of 20 March 2017,

— 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,

— having regard to the UN Security Council (UNSC) resolutions on ISIL/Da'esh and the Al-Nusra Front and to relevant UNSC resolutions on the conflict in the Syrian Arab Republic, in particular resolutions 2218 (2013), 2139 (2014), 2165 (2014), 2191 (2014), 2199 (2015), 2254 (2015), 2258 (2015), 2268 (2016), 2328 (2016), 2332 (2016), and 2336 (2016),

— having regard to UNSC resolution 1325 (2000) of 31 October 2000 on women and peace and security,

— having regard to UN General Assembly resolution A/71/L.48 of 19 December 2016 setting up an 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,

— having regard to the Geneva Communiqué of 2012,

— 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 Rome Statute and the ICJ founding documents,

— having regard to ad hoc tribunals, including the ICTY, ICTR and STL,

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— having regard to the Geneva Conventions of 1949 and the additional protocols thereto,

— having regard to Rule 123(2) and (4) of its Rules of Procedure,

A. whereas the war in Syria has become one of the worst humanitarian crises the world has faced since World War II and continues to have devastating and tragic consequences for its people; whereas scores of civilians, including children, have been targeted and continue to suffer in this brutal civil war and over 400 000 people have lost their lives since the beginning of the conflict in Syria in 2011; whereas over 13,5 million people in Syria, almost three quarters of the remaining population, are in urgent need of emergency assistance such as medical and food assistance, water and shelter; whereas 6,3 million people are internally displaced, 4,7 million live in hard-to-reach and besieged areas and five million are living as refugees in neighbouring countries and the wider region; whereas the crisis in Syria has an increasingly destabilising impact on the wider region;

B. whereas since the outbreak of the war in 2011, the EU, together with its Member States, has, as of January 2017, collectively mobilised more than EUR 9,4 billion in response to the Syrian crisis both within Syria and in the region, making it the largest donor; whereas the EU has also substantially supported the neighbouring refugee host countries;

C. whereas the violations committed during the Syrian conflict include targeted and indiscriminate attacks on civilians, extrajudicial killings, torture and ill-treatment, enforced disappearances, mass and arbitrary arrests, collective punishment, attacks against medical personnel and denial of food and water; whereas the Assad regime is reportedly responsible for hangings, acts of torture and extrajudicial killings on a massive scale in its detention facilities; whereas the Syrian Government has wilfully cut civilians off from essential goods and services, including food and water supply as well as medical assistance; whereas the attacks, and the starvation of civilians through the besiegement of populated areas as a war tactic, constitute clear breaches of international humanitarian law; whereas these crimes have so far gone unpunished;

D. whereas ISIS/Da'esh and other jihadist groups have committed cruel atrocities, including the use of brutal executions and unspoken sexual violence, abductions, torture, forced conversions and slavery of women and girls; whereas children have been recruited and used in terrorist attacks; whereas there are serious concerns about the welfare of the population currently under ISIS/Da'esh control and their possible use as human shields during the liberation campaign; whereas these crimes may amount to war crimes, crimes against humanity and genocide;

E. whereas the ceasefire that came into force on 30 December 2016 is not being respected with several violations reported throughout Syria and major incidents taking place, such as the chemical attack in Khan Sheyhoun presumably committed by the regime and the bomb attack against buses carrying evacuees out of the besieged towns of Foah and Kefraya to government-controlled areas; whereas dozens of people, including children, have been killed and many more injured;

F. whereas several investigations have found that Assad's forces have used chemical agents intended to harm and kill civilians, in violation of a 2013 deal to eliminate them; whereas the latest case of the use of weapons of mass destruction against civilians took place on 4 April 2017 in Khan Sheyhoun in Idlib province, where at least 70 civilians, many of them children, were killed and hundreds more injured; whereas on 12 April 2017 Russia vetoed a UN Security Council resolution that would have condemned the reported use of prohibited chemical weapons in Syria and would have called on the Syrian Government to cooperate with an investigation into the incident; whereas the US informed the EU that, based on its assessment that the Syrian regime had used chemical weapons, it launched a strike on the Al-Shayrat military airbase in Homs Governorate, Syria, with the intention of preventing and deterring the spread and use of chemical weapons;

G. whereas in March 2017 the EU added four high-ranking Syrian military officials to the sanctions list for their role in the use of chemical weapons against the civilian population, in line with the EU's policy to fight the proliferation and use of chemical weapons;

H. whereas Commission President Jean-Claude Juncker mentioned the need for a EU strategy for Syria in his state of the union address of September 2016; whereas, in October, Parliament called on VP/HR Federica Mogherini to ensure that a new strategy on Syria is aimed at facilitating a political settlement in Syria, including monitoring and enforcement tools to strengthen compliance with commitments made within the International Syria Support Group (ISSG);

I. whereas the aim of the EU strategy on Syria is to outline how the EU can play a more visible and effective role in contributing to the lasting political solution in Syria, within the existing UN-agreed framework, and support post-agreement reconstruction once a credible transition is underway; whereas this strategy outlines six key areas of focus, namely: an end to the war through a genuine political transition; the promotion of a meaningful and inclusive transition; addressing the humanitarian needs of the most vulnerable Syrians; promoting democracy and human rights; promoting accountability for war crimes; and supporting the resilience of the Syrian population and society;

J. whereas on 5 April 2017 the EU co-chaired a conference on supporting the future of Syria and the region which brought together representatives from over 70 countries and international organisations and international and Syrian civil society; whereas the Brussels Conference agreed on a holistic approach to handling the Syrian crisis, with additional financial assistance to respond to the humanitarian situation of EUR 3,47 billion for 2018-2020, including EUR 1,3 billion from the EU, the largest donor to the crisis; whereas, in addition, some international financial institutions and donors have announced around EUR 27,9 billion in loans; whereas the costs of rebuilding Syria are estimated to be around USD 200 billion;

K. whereas the EU recognises the efforts made by, and supports, Turkey, Lebanon and Jordan, Syria's neighbouring countries hosting the largest number of refugees;

L. whereas on 4 May 2017 an agreement establishing four de-escalation zones was reached by Russia, Iran and Turkey in Astana (Kazakhstan); whereas the three signatory countries are to act as guarantors of the six-month renewable truce, including through armed monitors on the ground; whereas this deal calls for an end to all flights by the Assad regime over these zones and unhindered humanitarian access to rebel-held zones; whereas a new round of UN-led talks is resuming this week in Geneva and another round of Russian-led talks is planned for mid-July in Kazakhstan;

M. whereas the EU has repeatedly stated that there can be no military solution to the Syrian conflict and that only a Syrian-led, inclusive transition can put an end to the unacceptable suffering of the Syrian people; whereas, while being clear that reconstruction can only begin after a political agreement, reconciliation efforts should start as soon as possible and be supported by the EU with the aim of securing long-term stability; whereas establishing the truth, promoting accountability and transitional justice, as well as amnesty are all essential in this context;

1. Welcomes the EU Strategy for Syria, including the EU's strategic goals on Syria and the EU's objectives for Syria and the outcome of the Brussels Conference that ensured multiannual pledges; urges all participants and international donors to fully honour their commitments and to maintain their support in the future;

2. Condemns, once again and in the strongest terms, the atrocities and widespread violations of human rights and international humanitarian law committed by all parties in the conflict, and in particular the forces of the Assad regime with the support of its allies Russia and Iran, as well as by non-state armed groups, in particular ISIS/Da'esh and Jabhat Fateh al-Sham; stresses its position that all those responsible for breaches of international humanitarian law and human rights law must be held accountable; encourages all states to apply the principle of universal jurisdiction in tackling impunity and welcomes steps taken by a number of EU Member States to this end, including the recent decision by Spain's National Court to hear a criminal complaint against nine Syrian intelligence officials for torture and other human rights violations; reiterates its call for the EU and its Member States to explore, in close coordination with like-minded countries,

the creation of a Syria war crimes tribunal, pending a successful referral to the International Criminal Court; stresses that those committing crimes against religious and ethnic minorities and other groups should also be brought to justice; remains convinced that there can be neither effective conflict resolution nor sustainable peace in Syria without accountability for the crimes committed;

3. Condemns in the strongest terms the horrific chemical air strike on the town of Khan Sheyhoun in Idlib province on 4 April 2017 which caused the death of at least 70 civilians, including children and relief workers, with many victims displaying symptoms of gas poisoning; notes that the allegation of the use of chemical weapons is credible according to the preliminary assessment conducted by the Organisation for the Prohibition of Chemical Weapons (OPCW) fact-finding mission; stresses Syria's obligation to comply with the recommendations of the OPCW fact-finding mission and the OPCW-United Nations Joint Investigative Mechanism, by providing immediate and unfettered access and recognising the right to inspect each and every site; stresses that those responsible for such attacks will be held accountable in a court of law; deplores Russia's repeated vetoes in the Security Council, including to a UNSC resolution condemning the most recent chemical attack and calling for an international investigation;

4. Welcomes the creation of an 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; deplores the fact that this mechanism is still not fully funded; calls on all Member States to fulfil their pledges in this regard;

5. Remains committed to the unity, sovereignty, territorial integrity and independence of Syria and supports a strong 'Whole of Syria' approach and a democratic future for the Syrian people; insists that a Syrian-led political process which will lead to free and fair elections, facilitated and monitored by the United Nations and held on the basis of a new constitution, is the only way to pacify the country; reiterates to all parties that a nationwide inclusive ceasefire and peaceful mutually acceptable solution to the Syrian crisis can be achieved under UN auspices and, as provided for in the 2012 Geneva Communiqué and UNSC resolution 2254 (2015), with the support of the Special Envoy of the Secretary-General for Syria, Staffan de Mistura, and key international and regional actors;

6. Notes the recent memorandum on setting up de-escalation zones in Syria and supports the intent to reinforce the ceasefire, halt the regime's air force flying over the de-escalation areas, and create conditions for humanitarian access, medical assistance, the return of displaced civilians to their homes and the restoration of damaged infrastructure; highlights, however, the concerns expressed by the opposition that the deal could lead to the establishment of zones of influence and to the division of Syria; calls on all parties to implement the Astana agreements, and on the three guarantors to ensure that the ceasefire is respected; highlights the importance of eliminating any ambiguity with respect to groups not covered by the ceasefire and calls on all parties, including Turkey, to ensure that the memorandum does not facilitate the targeting of forces allied to the moderate opposition or those fighting on the side of the international coalition against ISIS/Da'esh; underscores that international monitoring of implementation must be ensured and supports a robust UN involvement;

7. Urges the Russian Federation and the Islamic Republic of Iran to use their influence on the Syrian regime to accept and actively pursue a reasonable compromise that will put an end to the civil war and pave the way for an inclusive and genuine transition; calls on the EU and its Member States to continue supporting the moderate opposition, identifying and isolating radicalised elements and promoting reconciliation; encourages the members of the High Negotiations Committee (HNC) to continue engaging in the UN-brokered talks in Geneva;

8. Firmly believes that the EU needs to engage more actively and to leverage its important post-conflict financial contribution in order to play a significant role in the negotiating efforts under the existing UN-agreed framework and to ensure the political transition, developing a distinctive policy that aims at bringing the parties closer together and intensifying its efforts on areas in which the Union can have an added value; supports the on-going efforts of the VP/HR to reach out to the key actors in the region with a view to ensuring political transition, post-conflict reconciliation and reconstruction; urges the VP/HR to start developing a concrete plan for EU involvement in the reconstruction of Syria and

aim at inclusive, joint efforts with key international organisations and financial institutions, as well as regional and local actors; highlights, however, the importance of ownership of the post-conflict reconstruction process by the Syrians themselves;

9. Underlines the critical importance of the work of local and international civil society organisations and NGOs in documenting evidence of war crimes, crimes against humanity and other violations, including the destruction of cultural heritage; calls for the EU and its Member States to provide further and complete assistance to these actors; calls for the EU and its Member States to adequately fund organisations that work on open source investigation and digital collection of evidence of war crimes and crimes against humanity, in order to ensure accountability and bring the perpetrators to justice;

10. Welcomes the emphasis put on supporting the resilience of the Syrian population and Syrian society in the EU Strategy for Syria; calls on the EU and the Member States to redouble their efforts aimed at building the capacities of the people and civil society of Syria, including with and through actors that promote human rights, equality (including gender equality and minority rights), democracy and empowerment, where possible in Syria, as well as for Syrian refugees living in exile in the region or in Europe; stresses that such capacity-building should support Syrians in steering the transition (in areas such as media regulation, decentralisation, administration of municipalities and constitution drafting), while paying due consideration to the needs and role of women;

11. Expresses satisfaction that the role of civil society, including women's organisations, was recognised as a key part of a lasting solution; recalls the fact that the EU must promote and facilitate adequate involvement or consultation of civil society and women in the peace process, in line with the Comprehensive Approach to EU Implementation of UNSC resolutions 1325 (2000) and 1820 (2008) on women, peace, and security; insists that women's human rights need to be reflected in the new constitution of Syria;

12. While reaffirming its support for the efforts of the Global Coalition against ISIS/Da'esh, believes that the EU strategy should have also reviewed aspects concerning the fight against ISIS/Da'esh and other UN-listed terrorist organisations, highlighting and focusing on the political and socio-economic root causes that have facilitated the spread of terrorism and identifying concrete actions to tackle them; considers, furthermore, that ways for contributing to the preservation of the multi-ethnic, multi-religious and multi-confessional character of Syrian society should have been elaborated;

13. Stresses the importance of protecting ethnic and religious minorities in Syria and strongly believes that any political process should be inclusive and aimed at restoring Syria as a multiconfessional and tolerant state;

14. Recalls that the early establishment of confidence-building measures (CBMs), including fully unhindered humanitarian access throughout Syria, the delivery of basic public services (electricity, water, health care), the end of all city sieges, and the release of prisoners and hostages, is of crucial importance; welcomes the agreement among the Syrian Government and rebel groups to allow the evacuation of four besieged towns; urges all parties to support and facilitate the adoption of a comprehensive agreement on CBMs;

15. Notes with regret that the devastating civil conflict has set the country back decades in terms of social and economic development, forcing millions of people into unemployment and poverty and entailing considerable destruction of health and education services, and large-scale displacement of Syrians and brain drain; points out, therefore, the importance of increasing the non-humanitarian assistance aimed at strengthening the resilience of people within Syria and restarting the economy; calls, furthermore, on the EU Member States to show a stronger commitment to responsibility-sharing, allowing refugees fleeing the Syrian war zones to find protection beyond the immediate neighbouring region, including through resettlement and humanitarian admission schemes; considers, however, that as soon as the conflict is over, incentives for skilled Syrian refugees to return and contribute to the reconstruction efforts should be provided;

16. Welcomes the new partnership priorities concluded by the EU with Jordan and Lebanon, as well as the easing of EU rules of origin for exports from Jordan; regrets that large numbers of refugees in Jordan, Lebanon and Turkey still live in precarious social and economic conditions and are often unable to find (legal) employment; calls on the VP/HR to insist that the authorities in Jordan and Lebanon work towards removing the remaining (informal) barriers, to support expanded opportunities for self-employment, and to deliver commitments on job creation for women and youth;

17. Fully supports the target of ensuring a 'No lost generation of children' initiative in Syria and in the region, and calls for additional efforts to reach the goal of getting all refugee children and vulnerable children in host communities into quality education with equal access for girls and boys; highlights the need to recognise the often informal education in refugee camps and to support the psychological rehabilitation of these traumatised children;

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 EU Member States, the United Nations, the members of the International Syria Support Group and all the parties involved in the conflict, and to ensure translation of this text into Arabic.