Thursday 15 March 2018

P8_TA(2018)0090

Situation in Syria

European Parliament resolution of 15 March 2018 on the situation in Syria (2018/2626(RSP))

(2019/C 162/14)

The European Parliament,

— having regard to its previous resolutions on Syria, in particular that of 18 May 2017 on the EU strategy on Syria ([1]),

— having regard to the Universal Declaration of Human Rights of 1948 and other UN human rights treaties and instruments, including the UN Convention on the Rights of the Child,

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

— having regard to the statements on Syria by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, and in particular those of 9 July 2017 on a ceasefire in Syria, of 25 November 2017 on the conference of the Syrian Opposition in Riyadh and of 23 February 2018 on the massacre in Eastern Ghouta and to her remarks upon arrival at the Foreign Affairs Council meeting of 26 February 2018,

— having regard to the joint statements by VP/HR Federica Mogherini and Commissioner Stylianides on the recent attacks in Syria of 3 October 2017, on the humanitarian situation in Eastern Ghouta and Idlib of 20 February 2018 and on the situation in Eastern Ghouta and elsewhere in Syria of 6 March 2018,

— having regard to the statement by VP/HR Federica Mogherini during its plenary session of 6 February 2018 on the human rights situation in Turkey and the situation in Afrin, Syria,

— having regard to Council Decision 2011/273/CFSP of 9 May 2011 concerning restrictive measures against Syria ([2]) and to the Council conclusions of 26 February 2018 on adding two new ministers to the sanctions list,

— having regard to the joint communication by the Commission and the VP/HR 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, and to the 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 (UNHRC) in Geneva on the situation in Syria, in particular those of 26 February 2018 and 2 March 2018, and to his oral update on the activities of his office and recent human rights developments of 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 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,

([1]) Texts adopted, P8_TA(2017)0227.
([2]) OJ L 121, 10.5.2011, p. 11.

Thursday 15 March 2018

— having regard to the UN Security Council (UNSC) resolutions on Syria, in particular Resolution 2254 (2015) of 18 December 2015, Resolution 2393 (2017) of 19 December 2017 on authorisation for cross-border and cross-line aid delivery in Syria and Resolution 2401 (2018) of 24 February 2018 on a 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 the Syrian Arab Republic, established by the UNHRC, and to the UNHRC resolutions on the Syrian Arab Republic, in particular that of 5 March 2018 on the deteriorating situation of human rights in Eastern Ghouta,

— having regard to UN General Assembly Resolution A-71/248 of 21 December 2016 on 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 Rome Statute and the founding documents of the International Court of Justice, and those of ad hoc tribunals, including the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda and the Special Tribunal for Lebanon,

— 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,

— having regard to the report published by the UN Population Fund in 2017 entitled 'Voices from Syria 2018 – Assessment Findings of the Humanitarian Needs Overview',

— having regard to the Carnegie Middle East Center statement of 5 March 2018 on the reported meeting of the head of the Syrian National Security Bureau, Ali Mamlouk, who is 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 Council Decision 2011/273/CFSP of 9 May 2011 concerning restrictive measures against Syria,

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

A. whereas Syria's seven-year civil conflict continues, despite several international efforts to achieve a ceasefire and lay the basis for a negotiated solution; whereas, consequently, the humanitarian situation in the country remains devastating; whereas 13 million people, including 6 million children, are registered as in need of some form of humanitarian aid; whereas 6,1 million people are internally displaced, 3 million civilians live in besieged areas and over 5 million are registered Syrian refugees residing in neighbouring regions; whereas at least 400000 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 by 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 five 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 of 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 cut off from any form of aid by a blockade since 14 February 2018, when a single convoy reached just 7200 people out of the 400000 living in the area; whereas a UN aid convoy finally managed to enter Douma on 5 March 2018, reaching 27500 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 UNSC adopted Resolution 2401, in which the Security 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 UNSC resolution 2401 has not been implemented by the Syrian regime and the Russian and Iranian forces, despite repeated calls from the international community; whereas the military is using the 'liberation'of the region as a pretext to continue targeting civilians; whereas Russia has vetoed 11 UNSC resolutions in recent years, including the one aimed at renewing the UN-OPCW Joint Investigative Mechanism in November 2017, and has played an active role in limiting the content of the resolutions;

E. whereas these attacks and the use of starvation of civilians through besieging populated areas and forced displacement of the population, including with the aim of demographic change, as war tactics constitute clear breaches of international humanitarian law; whereas obstructing evacuation efforts and the delivery of humanitarian aid and medical care constitute blatant violations of international humanitarian law and of several UNSC resolutions;

F. whereas Turkey's Operation Olive Branch in the Kurdish-controlled province of Afrin has added a new dimension to the conflict in Syria, raising additional humanitarian concerns and worries about the negative impacts on the delicate internal balances in Syria and/or the efforts towards a negotiated solution; stresses that a high number of civilian casualties has already been reported and that hundreds more civilian lives are at risk; whereas the VP/HR, on behalf of the EU, has clearly voiced these concerns, calling on the Turkish Government to stop its offensive and highlighting the need to focus on defeating the UN-listed terrorist organisations;

G. whereas the violations committed during the Syrian conflict by the Assad regime and its allies and by terrorist groups include targeted, indiscriminate attacks on civilians, including with chemical weapons, 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/Daesh and other jihadist movements have committed atrocities and grave violations of international law, including brutal executions and sexual violence, abduction, torture, forced conversion and enslavement of women and girls; whereas children are recruited and used in terrorist activities; whereas there is serious concern over the use of civilians as human shields in 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 jihadist terrorists and Islamic fundamentalists on the one hand and supporters of the Assad regime on the other;

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 to account those responsible for violations of international human rights and humanitarian law committed during the Syrian conflict, including through the application of the principle of universal jurisdiction as well as national law; whereas this can be done on the basis either of existing national and international remedies, including national courts and international tribunals, or of 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 EU 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 Supporting the Future of Syria and the Region, due to take place on 24 and 25 April 2018;

M. whereas the 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 and 26 January 2018; whereas on 4 May 2017, Russia, Iran and Turkey reached a deal in Kazakhstan to establish four de-escalation zones, which 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, which has 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 its Member States have mobilised more than EUR 10,4 billion towards addressing the humanitarian needs resulting from the Syrian crisis, both internally and externally in the neighbouring region, making the EU the largest donor; whereas the EU has also substantially supported and praised the neighbouring refugee-hosting countries;

Thursday 15 March 2018

1. Strongly condemns, once again and 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 acts perpetrated 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; deplores the fact that at least 400000 people have been killed, and thousands more injured, by bombing, shelling and other military means in Syria during seven years of conflict, and that millions have been displaced, with civilians denied access to food, water, sanitation and healthcare as a consequence of lengthy sieges of densely populated areas; expresses its grave concern over the spiralling violence 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 and sustainable solution to the conflict; stresses that the international community has 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 UNSC Resolution 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, and in particular on the Assad regime, Russia and Iran, to fully and urgently implement and respect that resolution, ensuring the immediate, safe, unimpeded and sustained delivery of humanitarian assistance, the evacuation of the critically ill 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 on all parties, in particular the Syrian authorities, to 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 with a view to putting an end to the violence and crimes committed and permitting and guaranteeing unhindered access to these zones; notes the decision by the three Astana Process countries to hold a new summit in April 2018 to discuss Syria and potential steps in the region; stresses that these steps should in no way contradict or undermine the UN-sponsored talks / Geneva process; 3a

4. Reminds 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 UNSC and the fact that no agreement was reached on renewing the mandate of the OPCW-UN Joint Investigative Mechanism before it expired on 17 November 2017; considers this attitude by a permanent member of the UNSC with a special responsibility for maintaining international peace and security to be shameful; stresses that, in the eyes of the world, the obstruction of international investigations is more a sign of guilt than anything else;

6. Expresses deep concern at Turkey's intervention in areas of Syria which are controlled by Kurdish forces; continues to be seriously worried about the escalating situation in Afrin, including the possible confrontation between Turkish forces and Assad or Russian forces and rising tensions with the United States; calls on the Turkish Government to withdraw its troops and play a constructive role in the Syrian conflict, which is also in Turkey's national interests; echoes the position of the VP/HR that the opening of new fronts in Syria is not in the interest of Turkey's security and warns against 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, 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 Daesh and other UNSC-recognised terrorist groups must comply strictly 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, which renewed the authorisation for cross-border and cross-conflict-line humanitarian access to Syria for a further 12 months (until 10 January 2019); encourages the UN and its implementing partners to continue to take steps to scale up humanitarian deliveries to hard-to-reach and besieged areas, including by using, as effectively as possible, border crossings under UNSC Resolution 2165 (2014); 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 personnel 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 there should be no tolerance for such acts; urges a thorough investigation and stresses that all those responsible must be punished;

9. Stresses that there should be no tolerance or impunity for the horrific crimes committed in Syria, including those committed 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 (IIIM) on international crimes committed in the Syrian Arab Republic since March 2012; notes with satisfaction the EU's decision to provide EUR 1,5 million in financial support to the mechanism through its Instrument contributing to Stability and Peace (IcSP); stresses, however, that support will be needed beyond the 18-month duration of the programme; underlines the importance of Member States meeting their pledges, and expects the issue of IIIM funding to be raised and settled at the second Brussels Conference on Supporting the Future of Syria and the Region; calls, furthermore, for support for civil society organisations and NGOs, which are collecting and helping to preserve evidence of human rights abuses and violations of humanitarian law;

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 the steps taken by a number of EU Member States to this effect; welcomes also initiatives by Member States to make grave violations of international law an offence under their national laws; reiterates its call for the EU and its Member States to explore, in close cooperation with like-minded countries, the possibility of creating a Syrian war crimes tribunal, pending a successful referral to the ICC; notes the important work of the European Network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes and calls on the VP/HR and the Directorate-General for Justice and Consumers 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 Zaitouneh, who was reportedly kidnapped in Douma in December 2013 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 on the VP/HR 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 VP/HR 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 second Brussels Conference, to be held on 24 and 25 April 2018; encourages the VP/HR to work with the Syrian people to develop localised reconstruction strategies for the various regions of Syria; underlines that the EU should consider all available options in working with its international partners, including aerial aid drops and the establishment of no-fly zones under a UNSC resolution;

14. Welcomes the holding of the EU-hosted Second Brussels Conference with the aim of expressing and putting 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 EU and Member States' financial support aimed at addressing the urgent needs of refugees and their host communities to be stepped up; cautions against starting any reconstruction efforts before a UN-negotiated political agreement involving all parties is in place; calls on the VP/HR to more fully include civil society organisations in this conference; calls, in this respect, for increased support for peaceful and democratic Syrian civil society organisations and human rights defenders, including through the Madad Fund, the Instrument contributing to Stability and Peace, and the European Instrument for Democracy and Human Rights; calls on the international community to fulfil its outstanding pledges of humanitarian support in Syria and the 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 once a comprehensive, genuine and inclusive political transition, negotiated by the Syrian parties in the conflict on the basis of UNSC Resolution 2254 and the Geneva Communiqué, is firmly underway; underlines that the Assad regime, Putin's Russia and Iran bear primary responsibility for 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;

Thursday 15 March 2018

16. Strongly condemns the use of children in combat or terrorist attacks; stresses the fundamental importance of protecting children and prioritising their access to education, including for refugee children in neighbouring countries, and of supporting the psychological rehabilitation of these traumatised children;

17. Expresses concern at 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 Member States to honour their own commitments, including those laid down in the New York Declaration, and ensure responsibility-sharing, allowing refugees fleeing Syrian war zones to find protection beyond the immediate neighbouring region, including through resettlement and humanitarian admission schemes;

18. Welcomes the addition on 26 February 2018 of two Syrian ministers to the list of those targeted by EU restrictive measures against the Syria regime, 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 2013/255/CFSP on restrictive measures against Syria, 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 Member States, the United Nations, the members of the International Syria Support Group and all the parties involved in the conflict, also ensuring translation of this text into Arabic.