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P8_TA(2016)0449

Situation in Syria

European Parliament resolution of 24 November 2016 on the situation in Syria (2016/2933(RSP))

(2018/C 224/14)

The European Parliament,

- having regard to its previous resolutions on Syria, including that of 6 October 2016 ⁽¹⁾,
 - having regard to the principles of the Charter of the United Nations,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the Geneva Conventions of 1949 and the additional protocols thereto,
 - having regard to the United Nations Security Council resolutions on Da'esh and the Al-Nusra Front and to those on the conflict in the Syrian Arab Republic, in particular resolutions 2118 (2013), 2139 (2014), 2165 (2014), 2191 (2014), 2199 (2015), 2254 (2015), 2258 (2015) and 2268 (2016),
 - having regard to the Council conclusions of 17 October 2016 and the European Council conclusions of 18 and 19 February 2016 and of 20 and 21 October 2016,
 - having regard to the statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, and the Commissioner for Humanitarian Aid and Civil Protection, Christos Stylianidis, of 16 September 2016 on Syria, of 20 September 2016 on the air strikes against the UN/Syrian Red Crescent humanitarian aid convoy, of 24 September 2016 on the situation in Aleppo, of 2 October 2016 on an emergency humanitarian initiative for Aleppo and of 25 October 2016 on the urgency for humanitarian aid to reach Aleppo,
 - having regard to the reports of the Independent International Commission of Inquiry on the Syrian Arab Republic, established by the UN Human Rights Council, and to the UN Human Rights Council resolutions on the Syrian Arab Republic of 27 September 2016 and 21 October 2016,
 - having regard to the statement by Vice-President/High Representative Federica Mogherini on Russia and the International Criminal Court of 17 November 2016,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas six years of conflict, extreme violence and brutality in Syria have led to the deaths of more than 400 000 people, with more than 13 million people in need of humanitarian assistance; whereas 8,7 million people are predicted to be displaced inside Syria in 2016 and 4,8 million people have fled the country;

⁽¹⁾ Texts adopted, P8_TA(2016)0382.

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- B. whereas battles and bombardments continue unabated in Syria and the humanitarian situation has further deteriorated; whereas Aleppo remains the epicentre of the Syrian conflict, but fighting also continues in Hama, Idlib, northwest Syria, the suburbs of Damascus and Deir ez-Zor; whereas more than four million people are living in besieged cities and hard-to-reach areas where essential water and electrical infrastructure has been destroyed; whereas, in spite of the unilateral humanitarian pauses declared by the Assad regime and Russia, a serious shortage of basic food and medical supplies afflicts the population of east Aleppo and of other besieged cities, such as the rebel-held city of Zabadani and the government-controlled villages of Kefraya and Foua in Idlib province; whereas no humanitarian assistance has been able to reach the besieged parts of east Aleppo since July 2016;
- C. whereas a permanent health crisis exists in Aleppo and throughout Syria; whereas according to UNICEF more than two-thirds of Syrians in the region do not have regular access to water and nearly 6 million children are in need of urgent life-saving assistance;
- D. whereas serious violations of international human rights and humanitarian law have been committed by all sides in the conflict, but most seriously by the Assad regime backed by Russia and Iran, including the use of indiscriminate weapons, incendiary, barrel and bunker-busting bombs in civilian areas, and substances listed as chemical weapons under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction; whereas there has been no respect for the principles of precaution and proportionality; whereas civilian areas, schools, hospitals, humanitarian workers and refugee camps have been deliberately targeted; whereas war crimes and crimes against humanity should not go unpunished;
- E. whereas the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic and human rights groups have collected evidence that at least 200 000 people have been detained by the Syrian Government in inhuman detention conditions; whereas thousands of Syrians have died in Syrian Government custody in recent years from torture and disease; whereas forced disappearances and horrific prisoner abuse are widespread; whereas the Syrian authorities have attempted to keep information about their detention facilities secret, refusing access to recognised international detention monitors; whereas the International Committee of the Red Cross (ICRC) has, since 2011, been allowed to visit only a few prisons;
- F. whereas the world has been repeatedly appalled by the atrocities carried out by Da'esh and other jihadist groups, the use of brutal executions and unspeakable sexual violence, abductions, torture, forced conversions and slavery of women and girls; whereas children have been recruited and used in terrorist attacks; whereas Da'esh still controls large parts of Syria and Iraq; whereas Da'esh commits genocide against religious and ethnic minorities, carries out extreme acts of torture and eradicates cultural heritage; whereas there are serious concerns about the welfare of the population currently under Da'esh control and their possible use as human shields during the liberation campaign;
- G. whereas the Jabhat Fateh al-Sham, formerly known as the Al-Nusra Front, al-Qaeda's affiliate in Syria, is a terrorist organisation which rejects a negotiated political transition and inclusive democratic future for Syria;
- H. whereas Syria has signed, but not ratified, the Rome Statute of the International Criminal Court (ICC); whereas the UN Secretary-General Ban Ki-moon has repeatedly urged the UN Security Council to refer the situation in Syria to the ICC; whereas Russia and China block any progress on accountability in Syria by vetoing any Security Council resolution that would give the Court the mandate to investigate the horrific crimes committed during the conflict in Syria; whereas on 16 November 2016 Russia decided to withdraw its signature from the Rome Statute; whereas this lack of accountability breeds further atrocities and compounds the suffering of the victims;

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- I. whereas all countries and parties involved in the conflict must be reminded of their commitments in accordance with UN Security Council resolution 2254 (2015), in particular the obligation to cease any attacks against civilians and civilian infrastructure and the obligation to ensure humanitarian access throughout the country; whereas the European Union must use all its instruments, including the imposition of restrictive measures, to ensure full compliance by all parties with this resolution;
 - J. whereas the EU is one of the main contributors of humanitarian aid for people fleeing the historic violence and destruction in Syria; whereas the lack of international unity makes a negotiated settlement of the war in Syria significantly more difficult to achieve;
1. Voices once again its gravest concern over the continuing fighting, bombardment and worsened humanitarian situation in Syria; strongly condemns all attacks against civilians and civilian infrastructure, the continuation of all sieges in Syria and the lack of humanitarian access to the Syrian people in need; calls on all parties to allow unhindered and continuous humanitarian access and the delivery of emergency goods, in particular to the besieged and hard-to-reach areas; stresses that the deliberate starvation of populations is prohibited by international humanitarian law and urges all parties to allow medical evacuations immediately from east Aleppo and all other besieged areas;
 2. Condemns in the strongest terms the atrocities and widespread violations of human rights and international humanitarian law committed by the Assad forces with the support of Russia and Iran, as well as the human rights abuses and violations of international humanitarian law by non-state, armed terrorist groups, in particular Da'esh, Jabhat Fateh al-Sham/the Al-Nusra Front and other jihadist groups;
 3. Demands an immediate end to bombing and indiscriminate attacks on civilians; underlines the need for all parties to pay maximum attention and to take all appropriate measures to protect civilians, irrespective of their ethnic identity or religious or confessional beliefs; strongly condemns the indiscriminate launching of large numbers of rockets by armed opposition groups on civilian suburbs of western Aleppo; stresses that many civilians, including children, have been reportedly wounded and killed; calls on all parties to the conflict to take all appropriate steps to protect civilians, in compliance with international law, including by ceasing attacks directed against civilian facilities, such as medical centres, schools and water stations, by immediately demilitarising such facilities, by seeking to avoid establishing military positions in densely populated areas and by enabling the evacuation of the wounded and all civilians who wish to leave besieged areas; underlines that the Syrian regime has the primary responsibility for the protection of the Syrian population;
 4. Praises the efforts of humanitarian aid workers in seeking to bring much-needed relief, food, water and medicines to those trapped by the conflict, and urges all sides involved in the conflict to ensure safe, unfettered access for humanitarian agencies to those civilians affected by the war;
 5. Calls on the EU institutions and the Member States to provide full support to the UN and the Organisation for the Prohibition of Chemical Weapons (OPCW) in order to continue investigating the use and the destruction of chemical weapons by all sides in Syria; strongly insists that those responsible for the use of chemical weapons must be held accountable; supports the extension of the mandate of the OPCW Joint Investigative Mechanism, with a view to determining responsibility for the use of chemical weapons in Syria;
 6. Expresses concern over the unlawful detention, torture, ill treatment, enforced disappearance and killing of detainees in regime prisons and secret detention centres run by foreign-supported militias; calls on the Syrian authorities managing these detention centres to end all executions and inhumane treatment;
 7. Calls for the immediate release of those detained arbitrarily and for an end to the use of torture and other ill-treatment as well as the practice of enforced disappearances, in accordance with UN Security Council Resolution 2139 of 22 February 2014; calls for immediate and unhindered access for international detention monitors — such as the ICRC — to monitor the situation of all detainees in Syria and to provide information to, and support, the families of the detainees;

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8. Recalls its strong condemnation of the atrocities committed by the Assad regime, Da'esh, Jabhat Fateh al-Sham/Al-Nusra and other terrorist organisations, which can be considered as serious war crimes and crimes against humanity; supports the call of the Quint nations (United States, France, Germany, Italy and the United Kingdom) and the VP/HR on all armed groups fighting in Syria to cease any collaboration with Jabhat Fateh al-Sham; highlights the importance of effectively cutting access to the financing and funding of Da'esh activities, apprehending foreign fighters and stopping the flow of weapons to jihadist groups; calls on the Syrian opposition to distance themselves clearly from such extremist elements and ideology; recalls that efforts should be focused on defeating Da'esh and other UN-designated terrorist groups; calls for action to be taken to prevent material and financial support from reaching individuals, groups, undertakings and entities associated with UN-designated terrorist groups;

9. Reiterates its call for consequences and accountability for those guilty of committing war crimes and crimes against humanity; stresses that those committing crimes against religious, ethnic and other groups and minorities 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; takes the view that the issue of accountability for war crimes and crimes against humanity should not be politicised: the obligation to respect international humanitarian law in all circumstances refers to all parties involved in the conflict and whoever commits such crimes must be aware that they will face justice, sooner or later;

10. Urges the EU and the Member States to ensure that all those responsible for violations of international human rights and humanitarian law face justice through appropriate, impartial international criminal justice mechanisms or national courts and through the application of the principle of universal jurisdiction; reiterates its support for the referral of the case of Syria to the ICC but, in light of the inability of the Security Council to deliberate on this matter, reiterates its call for the EU and its Member States to lead the efforts within the General Assembly of the United Nations and to explore the creation of a Syrian war crimes tribunal pending a referral to the ICC; once the conflict is terminated, and with a view to promoting reconciliation, highlights the importance of Syrian ownership of the process;

11. Welcomes and underlines the critical importance of the work of local and international civil society organisations in documenting evidence of war crimes, crimes against humanity and other violations, including the destruction of cultural heritage; calls on the EU and its Member States to provide further and complete assistance to these actors;

12. Deplores the decision of Russian President Vladimir Putin to withdraw from the ICC, while noting that the Russian Federation has never actually ratified the Rome Statute and that the timing of the decision undermines the country's credibility and leads to conclusions being drawn about its commitment to international justice;

13. Welcomes the Council conclusions on Syria of 17 October 2016 and the European Council conclusions on Syria of 20 and 21 October 2016; supports the EU's call for an end to all military flights over Aleppo city; an immediate cessation of hostilities, to be monitored by a strong and transparent mechanism; sieges to be lifted; and full unhindered sustainable country-wide humanitarian access granted by all parties;

14. Welcomes the review of the EU's restrictive measures against Syria and individuals who share responsibility for the repression of the civilian population in the country; stresses that the EU should consider all available options, including a no-fly zone over Aleppo city, to set out consequences for the most heinous human rights violations and abuses by all perpetrators if the atrocities and blunt disrespect of humanitarian law continues;

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

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16. Urges all participants in the International Syria Support Group (ISSG) to resume negotiations in order to facilitate the establishment of a stable truce and to intensify work on a lasting political settlement in Syria; stresses that regional actors, in particular neighbouring countries, bear special responsibility;

17. Reiterates its call on the VP/HR to renew efforts towards a common EU-Syria strategy; welcomes and fully supports the recent diplomatic initiatives of VP/HR Federica Mogherini, in line with the European Council mandate, aimed at bringing the parties involved in the conflict back to the negotiating table and relaunching the political process in Geneva; notes with interest the regional talks she held with Iran and Saudi Arabia, and considers her activities to be of added value and a useful contribution to the efforts of the United Nations Special Envoy, Staffan de Mistura; urges all parties involved in the conflict to resume and intensify political negotiations as soon as possible in anticipation of a new and stable truce to be established, which should include provisions ensuring transitional justice in post-conflict Syria; stresses that these peace talks should lead to a cessation of hostilities and a Syrian-led and Syrian-owned political transition; emphasises the role that the EU can play in post-conflict reconstruction and reconciliation;

18. Reiterates its full support for the EU's ongoing humanitarian initiative for Aleppo, and urges all parties to facilitate its implementation;

19. Welcomes the partnership priorities and compacts with Jordan for the period 2016-2018 and with Lebanon for the period 2016-2020; notes that the compacts are the framework through which the mutual commitments made at the London Conference of 4 February 2016 on 'Supporting Syria and the Region' are translated into actions; notes the growing financial needs and the persistent funding gap in respect of humanitarian aid provided to countries in Syria's neighbourhood; calls on the EU Member States to fulfil their pledges and to provide much-needed support to the UN, its specialised agencies and other humanitarian actors in providing humanitarian assistance to the millions of Syrians displaced both internally and in host countries and communities;

20. 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.
