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*Plenary sitting*

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**B8-1254/2016**

21.11.2016

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the situation in Syria  
(2016/2933(RSP))

**Barbara Lochbihler, Alyn Smith, Bodil Valero, Igor Šoltes, Yannick Jadot, Bart Staes, Judith Sargentini, Rebecca Harms, Helga Trüpel**  
on behalf of the Verts/ALE Group

**European Parliament resolution on the situation in Syria  
(2016/2933(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Syria, including that of 6 October 2016<sup>1</sup>,
  - having regard to its resolution of 17 November 2011 on EU support for the International Criminal Court: facing challenges and overcoming difficulties<sup>2</sup>,
  - having regard to the Council conclusions on the EU regional strategy for Syria and Iraq, as well as the Daesh threat, of 15 March 2015, and to the update of 23 May 2016,
  - 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 UN Security Council resolutions 2139 and 2165 (2014) and 2258 (2015),
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas over 400 000 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 all sides in the conflict; whereas the vast majority of these crimes fall under the responsibility of the Syrian regime and its allies, notably Russia;
- B. whereas the situation in Aleppo has dramatically deteriorated over the past weeks, with more shocking bloodshed among civilians due to heavy aerial bombardment by the Assad regime and Russia, and to a lesser extent to indiscriminate firing by non-state armed groups; whereas under international law warring parties are obliged to take appropriate measures to protect civilians and civilian infrastructures;
- C. whereas the violations committed during the Syrian conflict have included unlawful killing, torture and ill-treatment, mass and arbitrary arrests, both targeted and indiscriminate attacks on civilians, collective punishment, attacks on medical personnel, and denial of food and water; whereas these crimes have so far gone unpunished;
- D. whereas the UN Commission of Inquiry, the UN Secretary-General and the UN High Commissioner for Human Rights have stated that crimes against humanity and war crimes have been committed in Syria;

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<sup>1</sup> Texts adopted, P8\_TA(2016)0382.

<sup>2</sup> OJ C 153 E, 31.5.2013, p. 115.

- E. whereas the 10th and 9th reports of the UN Commission of Inquiry on Syria, as well as the UN Security Council in its resolutions 2139 (2014) and 2258 (2015), have stressed the need to end impunity in Syria and bring the perpetrators to justice;
  - F. whereas justice, the rule of law and the fight against impunity constitute essential elements underpinning peace and conflict resolution efforts;
  - G. whereas the UN Commission of Inquiry has concluded that the Syrian courts are not an effective mechanism through which to prosecute international crimes;
  - H. whereas Syria has signed but not ratified the Rome Statute of the International Criminal Court (ICC);
  - I. whereas all the UN Security Council members except Russia and China, with the support of 65 other members of the UN and over 100 Arab and international NGOs, endorsed the French proposal to refer the situation in Syria to the ICC in May 2014;
  - J. whereas in its resolution of 30 April 2015 on the situation of the Yarmouk refugee camp in Syria Parliament called on the EU and its Member States to seriously consider the recent recommendation by the UN Commission of Inquiry to explore the setting-up of a special tribunal for the crimes committed in Syria<sup>1</sup>;
  - K. whereas in its resolution of 6 October 2016 Parliament called for consequences and accountability for those guilty of committing war crimes and crimes against humanity in Syria;
  - L. whereas the EU regional strategy for Syria and Iraq and against the Daesh threat calls for preparedness for the ‘day after’, in reference to preparations for a post-conflict situation prior to the end of hostilities;
1. Condemns in the strongest terms the atrocities and widespread violations of human rights and international humanitarian law committed by the forces of the Assad regime with the support of Russia and Iran, as well as the human rights abuses and violations of international humanitarian law perpetrated by non-state armed groups, in particular ISIS/Daesh and Jabhat Fateh al-Sham;
  2. Strongly deplores the climate of impunity for the perpetrators of serious crimes during the war in Syria; considers that the lack of accountability breeds further atrocities and compounds the suffering of the victims;
  3. Urges the EU and its Member States to press all parties to the conflict in Syria to effectively implement the human rights and humanitarian provisions of the UN Security Council resolutions on Syria, including by ending the practice of torture and other ill-treatment, and calls for immediate and unhindered access for recognised international detention monitors to all persons deprived of their liberty in Syria;
  4. 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

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<sup>1</sup> Texts adopted, P8\_TA(2015)0187.

conflict, including by the Assad regime and its allies, as well as by the so-called Islamic State and other armed groups such as Jabhat Fateh al-Sham;

5. Deplores the exercise of the veto by China and Russia, as permanent members of the UN Security Council, against the referral of the situation in Syria to the ICC, and calls for renewed efforts in this direction;
6. Calls for a common EU policy for a coordinated accountability strategy towards the war crimes and crimes against humanity committed in Syria; calls on the VP/HR to take a proactive role in this matter;
7. 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;
8. Urges Member States to take all necessary measures to hold alleged perpetrators to account, notably through the application of the principle of universal jurisdiction and by investigating and prosecuting EU nationals responsible for war crimes and crimes against humanity in Syria;
9. Calls on the EU and its Member States to step up their efforts in adopting targeted measures, including sanctions, against persons and groups, including from third countries, as well as against states credibly implicated in egregious violations such as war crimes and crimes against humanity;
10. Calls for international sharing of the names of suspected criminals and of existing evidence with national judicial authorities in order to facilitate criminal investigation and prosecution;
11. Calls on the Member States to ensure transparency, accountability and full compliance with international humanitarian and human rights law in relation to their participation in international coalition efforts, as well as in their military cooperation with parties to the conflict;
12. 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; calls on the EU and its Member States to provide further assistance to these actors;
13. Urges all participants in the International Syria Support Group to resume negotiations to facilitate the establishment of a stable truce and to intensify work for a lasting political settlement in the country, which should include provisions for ensuring transitional justice in a post-conflict Syria; fully supports the efforts made by UN Special Envoy Staffan de Mistura; reiterates its call on the VP/HR to renew efforts towards a common EU Syria strategy;
14. Insists on the importance for the EU and its Member States of planning for the long-term recovery and reconstruction of Syria, including with measures designed to promote reconciliation, foster trust and strengthen the rule of law;

15. Calls on the EU and its Member States to support building the capacities of the people and civil society of Syria, including with and through actors who promote human rights, equality (including gender equality and minority rights), democracy and empowerment, where possible in liberated territories 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), with due consideration for women's needs and role;
16. Instructs its President to forward this resolution to the Vice-President / High Representative, 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.