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*Plenary sitting*

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**B8-0144/2018**

12.3.2018

## 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  
(2018/2626(RSP))

**Marietje Schaake, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Gérard Deprez, Marian Harkin, Ivan Jakovčić, Ilhan Kyuchyuk, Louis Michel, Urmas Paet, Maite Pagazaurtundúa Ruiz, Jozo Radoš, Frédérique Ries, Pavel Telička, Ivo Vajgl, Hilde Vautmans, Cecilia Wikström**  
on behalf of the ALDE Group

**European Parliament resolution on the situation in Syria  
(2018/2626(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Syria, in particular that of 18 May 2017 on the EU strategy on Syria<sup>1</sup>,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the Geneva Conventions of 1949,
- 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), in particular that 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 of 20 February 2018 by VP/HR Mogherini and Commissioner Stylianides on the humanitarian situation in Eastern Ghouta and Idlib, Syria, and of 6 March 2018 on the situation in Eastern Ghouta and elsewhere in Syria,
- having regard to Council Decision 2011/273/CFSP of 9 May 2011 concerning restrictive measures against Syria<sup>2</sup>, and to the Council conclusions of 26 February 2018 on adding two new ministers to the sanctions list,
- having regard to the Joint Communication 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 UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein to the Human Rights Council 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 relevant UN Security Council resolutions, in particular Resolution 2401 (2018) on a 30-day cessation of hostilities in Syria to enable humanitarian aid delivery,
- having regard to the UN Human Rights Council Resolution of 5 March 2018 on the deteriorating situation of human rights in Eastern Ghouta,

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<sup>1</sup> Texts adopted, P8\_TA(2017)0227.

<sup>2</sup> OJ L 121, 10.5.2011, p. 11.

- 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 Persons 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 to 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 Rule 123(2) of its Rules of Procedure,
- A. whereas the situation in Syria is an extraordinary humanitarian disaster and continues to worsen as the violence and attacks continue; whereas 13 million people are registered as in need of some form of humanitarian aid, with 6 million of them being children; whereas 6.1 million people are internally displaced and over 5 million are registered Syrian refugees residing in the neighbouring regions; whereas a total of 400 000 Syrian lives have been lost during the conflict;
  - B. whereas 3 million civilians live in besieged areas (with, as of 2017, Raqqa and Deir-ez-Zor having the most civilian casualties); whereas in north-eastern Syria medical and civilian infrastructures are being targeted, leading to 300 000 civilians having to take refuge in Idlib;
  - C. whereas since the outbreak of the war, the EU and its Member States have mobilised more than EUR 10.4 billion towards helping 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;
  - D. whereas the fighting in Syria continues and the military offensive and bombardments of the Syrian regime against its own people, with the support of Russia and Iran, in Eastern Ghouta and Idlib continues, resulting in dozens of civilian deaths; whereas extreme concern has repeatedly been stated with regard to the humanitarian situation in Syria, and notably in Eastern Ghouta, as conditions have deteriorated significantly over the past weeks, with aid convoys being targeted and prevented from reaching those in need of assistance; whereas the presence of terrorist groups such as Jabhat Al Nusra (affiliated to Al-Qaeda) and other terrorist organisations in Eastern Ghouta is well-known and documented; whereas these attacks and the use of starvation of civilians through besieging populated areas as war tactics constitute clear breaches of international humanitarian law;
  - E. whereas many besieged areas had previously been designated as safe areas for people who had been forcibly displaced and had fled from other areas of Syria;
  - F. whereas the violations committed during the Syrian conflict by the Assad regime and its allies and by terrorist groups include targeted, indiscriminate and chemical weapon attacks on civilians, 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;

- G. whereas since Turkey launched the operation ‘Olive Branch’ on 20 January 2018 against the Kurdish forces of YPG and YPJ in the Kurdish district of Afrin in the north-west of Aleppo province, tens of thousands of people have been displaced and the humanitarian situation has deteriorated rapidly; whereas human rights groups have documented war crimes committed by the Turkish military and air force, and serious breaches of international humanitarian law and the Geneva Conventions; whereas thousands of civilians are targeted by indiscriminate bombing, and reports reveal the use of non-conventional weapons by Turkish troops and allied Syrian Islamist armed groups;
- 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 the UN Security Council finally managed to adopt a resolution on the situation in Syria with Resolution 2401, which calls for the halting ‘without delay’ of hostilities for one month, in order to allow urgent humanitarian access as well as medical evacuations; whereas Russia has vetoed 11 UNSC resolutions in recent years and has played an active role in limiting the content of the resolutions;
- J. whereas the ceasefire in Eastern Ghouta declared in UNSC resolution 2401 has not been implemented by the Syrian regime and the Russian and Iranian forces, despite repeated calls from the Security Council President, other UNSC members, the UN Secretary-General and other international actors, including the EU; whereas the army has advanced on several fronts, and has taken control of villages and farms while attacking from the eastern side of the enclave; whereas the military is using the ‘liberation’ of the region as a pretext to target civilians;
- K. whereas Eastern Ghouta has been under siege by the Syrian regime and its allies for 5 years – with civilians subjected to air bombardments, shelling and the use of chemical weapons, and with reports of toxic gas having been the cause of hundreds of deaths in the area; 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 7 200 people out of the 400 000 living in the area; whereas support for humanitarian aid is now more than ever a primary concern, which led to one small positive outcome when a UN aid convoy finally managed to enter Douma on 5 March, reaching 27 500 people in need of food and medical supplies;
- L. whereas this aid is very far from reaching all those in need in Ghouta, as most of the population is sheltering underground, with limited or no access to basic commodities, water and sanitation; whereas the Assad regime and its allies continue to actively block the delivery and administration of vital medical, food and humanitarian supplies from the UN, the EU, NGOs and local actors all over Syria;
- M. whereas further reports on the situation in Eastern Ghouta indicate that in recent weeks continuous airstrikes have been deliberately hitting hospitals, schools and markets, in other words places frequented primarily by innocent civilians; whereas the Special

Envoy's team has stated that a total of 14 hospitals, 3 health centres and 2 ambulances were attacked between 18 and 22 February 2018; whereas only days later on 25 February, reports on Shifouniya stated that several civilians, including children, had exhibited respiratory problems as a result of being subjected to poisonous agents; whereas an interactive dialogue in the UNSC with the Director-General of the Organisation for the Prohibition of Chemical Weapons and UN Under-Secretary-General Izumi Nakamitsu is scheduled for 20 March;

- N. whereas the Assad regime uses tactics of forced displacement in order to change the sectarian make-up of cities, towns and regions and bring about demographic change; whereas such tactics have been used in cities including Darayya, Muadamiyat al-Sham outside of Damascus, and the neighbourhood of al-Waer in the city of Homs;
- O. whereas on 26 February 2018, the EU added two new ministers to the sanctions list – the Minister of Information and the Minister of Industry – owing to the growing number of human rights violations in Syria; whereas the head of the Syrian National Security Bureau, Ali Mamlouk, included in the EU sanctions list, reportedly met the Italian Interior Minister and the Director of the Italian Agency for Information and External Security in Rome, in flagrant violation of Council Decision 2011/273/CFSP;
- P. whereas in April 2017 the UK proposed, in the context of the G7, imposing additional sanctions against Russia following the deadly chemical attack in Khan Sheikhou; whereas this proposal was vetoed by Italy;
- Q. 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;
- R. whereas the international community has provided insufficient support to the democratic and secular opposition; whereas in the current situation the democratic and secular 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;
- S. 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 under UN auspices can put an end to the unacceptable suffering of the Syrian people; whereas military operations have in practice defined the war in Syria and have caused external actors, including Russia, Iran and Turkey, to dictate the terms on the ground; whereas the Geneva-based negotiations have so far not led to concrete 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;

- T. whereas the second ministerial conference on ‘Supporting the Future of Syria and the Region’ that will take place on 24 and 25 April 2018 will be co-chaired by the VP/HR and the UN; whereas as last year, the Conference will aim to maintain the focus of the international community on Syria, by addressing all critical issues (humanitarian, funding and political) related to the crisis inside the country and in the region (Lebanon, Jordan and Turkey); whereas the support and commitment of the international community remain essential to achieving a peaceful future in Syria and the region;
- U. whereas the EU’s efforts in providing humanitarian support and planning for the future of Syria are commendable; whereas the EU should never provide unconditional assistance to the reconstruction of a Syria which is led and controlled by Assad and his allies Russia and Iran; whereas Assad, Putin’s Russia and Iran cannot be allowed to walk away from the economic consequences of their military interventions; whereas any reconstruction commitments must be leveraged towards peace and accountability;
- V. whereas the reconstruction of Syria should be based on a bottom-up approach and the successful empowerment of local actors, thereby excluding known terrorist groups;
1. Strongly deplores the dramatically deteriorating situation in Syria, which is the direct result of the ongoing offensive and actions by the Syrian regime and its allies Russia and Iran and has already resulted in over 400 000 deaths, 6.1 million displaced people inside Syria and 5 million refugees; 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. 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; 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; deplores Russia’s vetoes on all UNSC resolutions condemning the attacks and calling for investigations;
  3. Welcomes the fact that a UN aid convoy was able to reach Douma in Eastern Ghouta on 5 March 2018, for the first time in four months, but stresses that such sporadic and limited access is not sufficient; calls on the Syrian regime and its allies to immediately stop the violence in Eastern Ghouta and elsewhere in Syria and to break the sieges, stop the deliberately excessive, disproportionate and indiscriminate bombardments and chemical attacks against civilians including children, convoys with evacuated people, aid and healthcare personnel and civilian infrastructures such as schools and hospitals;
  4. Fully supports the call made by UNSC Resolution 2401 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;

5. Condemns, once again and in the strongest terms, the 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 Turkey and by non-state armed groups, in particular ISIS/Daesh 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; reiterates that under the principle of universal jurisdiction, a national court may prosecute individuals for any serious crimes in violation of international law; welcomes the steps taken by a number of Member States under this principle and encourages all other Member States to do the same; additionally welcomes initiatives by Member States to hold individuals to account under their national laws; encourages all Member States to make grave violations of international law an offence under their national law; calls on the Member States to bring the Syrian state before the International Court of Justice for violations of the Torture Convention, to which it is a party, in order to establish state liability as an indirect means for judicial determination of individual criminal responsibility at a later stage; deplores the continued blocking of attempts to bring the situation in Syria before the International Criminal Court; reiterates its call for the EU and the Member States to explore, in close coordination with like-minded countries, the creation of a Syrian war crimes tribunal;
6. Remains convinced that there can be no effective conflict resolution or sustainable peace in Syria without accountability for the crimes committed; supports the work of the Independent International Commission of Inquiry established by the UN in conducting comprehensive independent inquiries into violations committed in Syria, including the use of chemical weapons; 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; considers that the EU should also make a higher direct contribution to the mechanism;
7. Stresses the critical role played by NGOs and local and international civil society organisations in documenting evidence of war crimes, crimes against humanity and other violations including the destruction of cultural heritage, also through digital means; calls for the EU to actively seek out and adequately fund such organisations;
8. 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 again urges all sides involved in the conflict to ensure safe, unfettered access for humanitarian agencies to those civilians affected by the war; 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;

9. 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;
10. 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;
11. 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; 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;
12. 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; calls on the international community to fulfil its outstanding pledges of humanitarian support in Syria and the neighbouring countries;
13. Calls on the Member States to make a stronger commitment towards responsibility-sharing, allowing refugees fleeing the Syrian war zones to find protection beyond the immediate neighbouring region, including through resettlement and humanitarian admission schemes, and to put this into practice; is concerned over growing anti-refugee sentiment in Syria's neighbouring countries; reiterates that no refugees should be sent back to Syria against their will or as part of deals of convenience with warring factions;
14. Welcomes the latest review of the EU's restrictive measures against Syria, which add two individuals who share responsibility for the repression of the civilian population in the country to the list of targeted persons; expresses its concerns over the reported recent visit made by the head of the Syrian National Security Bureau to Rome in order to hold so-called security talks with the Italian Interior Minister and the Director of the Italian Agency for Information and External Security, in flagrant violation of the EU's sanctions list; calls on the Italian authorities and the VP/HR to condemn this visit in the strongest possible terms; calls on the VP/HR to immediately launch an investigation into the circumstances under which this situation could have arisen; calls on all Member States to respect Council Decision 2011/273/CFSP; calls for additional sanctions to be imposed on Russia and Iran following their targeted and deliberate actions against the civilian populations in Eastern Ghouta as well as in the rest of Syria;



15. 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.