

**Question for oral answer O-000063/2016  
to the Council**

Rule 128

**Elena Valenciano**

on behalf of the Committee on Foreign Affairs

**Linda McAvan**

on behalf of the Committee on Development

**Subject:** Attacks on hospitals and schools as violations of international humanitarian law

Greater compliance with international humanitarian law (IHL) is an indispensable prerequisite for improving the situation of victims of armed conflict. The vast majority of the victims in today's armed conflicts, including in Syria, Iraq, Yemen and Afghanistan, are innocent civilians. Brutal attacks on civilian facilities such as hospitals and schools demonstrate gross negligence of the most basic principles of humanitarian law. Parliament has called for the EU to promote compliance with international humanitarian law more effectively through dialogue and, in the event that such dialogue yields no results, to consider other measures in accordance with the EU Guidelines on promoting compliance with international humanitarian law, adopted in an updated form by the EU Foreign Affairs Council on 8 December 2009.

When adopting the relevant Guidelines, the EU Foreign Affairs Council reaffirmed its strong opposition to impunity for serious violations of IHL and human rights law. While the Council noted that the primary responsibility for investigating and prosecuting such violations rests with the parties to an armed conflict, the Council emphasised the importance of dealing effectively with the legacy of serious violations by supporting appropriate accountability mechanisms, and underlined the important role the International Criminal Court can play in cases where the State or States in question are unable or unwilling to exercise their jurisdiction.

Considering this context, could the Council respond to the following questions:

1. The 'EU Guidelines on promoting compliance with international humanitarian law' commit 'the appropriate Council working groups' to monitoring situations where IHL may apply, and, in such cases, to recommending action to promote compliance with IHL (paragraph 15a). How have the relevant Council bodies implemented the aforementioned provisions with regard to the conflict in Syria and Yemen and to other recent or current armed conflicts?
2. Considering the harrowing trend of attacks on hospitals and schools, affecting many humanitarian aid workers and civilians, what have the EU and its Member States done to make the international community aware of the true extent of this emergency, and how has the EU used its political influence to prevent such acts, as well as to make sure that either existing investigative mechanisms are implemented or new ones created to ensure independent investigations of these attacks and accountability for the crimes committed?

Tabled: 5.4.2016

Forwarded: 6.4.2016

Deadline for reply: 27.4.2016