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Plenary sitting

4.4.2011

B7-0244/2011

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 110(2) of the Rules of Procedure

on the use of sexual violence in conflicts in North Africa and the Middle East

Barbara Lochbihler, Raül Romeva i Rueda, Nicole Kiil-Nielsen, Heidi Hautala, Franziska Katharina Brantner, Frieda Brepoels, Hélène Flautre, Jean Lambert, Ulrike Lunacek, Judith Sargentini, Malika Benarab-Attou
on behalf of the Verts/ALE Group

European Parliament resolution on the use of sexual violence in conflicts in North Africa and the Middle East

The European Parliament,

- having regard to its resolution of 26 November 2009 on the elimination of violence against women;
- having regard to its resolution of 17 January 2008 on the situation in the Democratic Republic of Congo and rape as a war crime¹,
- having regard to its resolution of 17 February 2011 on the situation in Egypt;
- having regard to its resolution of 7 March 2011 on the Southern Neighbourhood, and Libya in particular;
- having regard to the declaration by the High Representative, Catherine Ashton, on behalf of the European Union on the International Day for the Elimination of Violence against Women, 25 November 2010;
- having regard to the declaration by the High Representative, Catherine Ashton, on behalf of the European Union on the International Women Day, 8 March 2011
- having regard to the provisions of the UN legal instruments in the sphere of human rights, in particular those concerning women's rights, such as the UN Charter, the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 1951 Convention relating to the Status of Refugees, and the principle of non-refoulement,
- having regard to other UN instruments on violence against women, such as the Vienna Declaration and Programme of Action of 25 June 1993 adopted by the World Conference on Human Rights (A/CONF. 157/23) and the Declaration on the Elimination of Violence against Women of 20 December 1993 (A/RES/48/104),
- having regard to the UN General Assembly resolutions of 12 December 1997 entitled 'Crime prevention and criminal justice measures to eliminate violence against women' (A/RES/52/86), of 18 December 2002 entitled 'Working towards the elimination of crimes against women committed in the name of honour' (A/RES/57/179), and of 22 December 2003 entitled 'Elimination of domestic violence against women' (A/RES/58/147),

¹ OJ C 41 E, 19.2.2009, p. 83.

- having regard to the reports by the UN High Commissioner for Human Rights Special Rapporteurs on violence against women and to General Recommendation No 19 adopted by the Committee on the Elimination of Discrimination Against Women (11th session, 1992),
 - having regard to the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995 and to Parliament's resolutions of 18 May 2000 on the follow-up to the Beijing Action Platform and of 10 March 2005 on the follow-up to the Fourth World Conference on Women - Platform for Action (Beijing+10)¹ and of 25 February 2010 on the follow-up to the Beijing Action Platform (Beijing +15),
 - having regard to the UN General Assembly resolution of 19 December 2006 entitled 'Intensification of efforts to eliminate all forms of violence against women' (A/RES/61/143), and to UN Security Council Resolutions 1325 and 1820 on women, peace and security,
 - having regard to the Rome Statute of the International Criminal Court, adopted in 1998, and particularly Articles 7 and 8 thereof, which define rape, sexual slavery, enforced prostitution, forced pregnancy and forced sterilisation or any form of sexual violence as crimes against humanity and war crimes and equate them with a form of torture and a serious war crime, whether or not such acts are systematically perpetrated during international or internal conflicts,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas women have actively participated in the uprisings for more democracy, rights and freedoms in North Africa and the Middle East,
 - B. whereas the incumbent regimes in Libya and Egypt have resorted to sexual assaults as part of the conflict in these revolutions, targeting women and in particular, making them vulnerable,
 - C. whereas sexual violence seems to be used as a systematic way to intimidate and degrade women,
 - D. whereas a Libyan woman, Iman al-Obeidi, who told reporters in a Tripoli hotel about being gang-raped and abused by soldiers, was detained on 26 March 2011 in an unknown location and is now being sued for defamation by the men she is accusing of rape,
 - E. whereas in Egypt female protestors claim they were subject to virginity tests by the military, being rounded up from the Tahrir Square on 9 March 2011 and subsequently subjected to torture and rape, while the virginity tests were performed and photographed in the presence of male soldiers,
 - F. whereas some Egyptian women were threatened with prostitution charges and whereas some of them will be tried before military courts for failing virginity tests,

¹ OJ C 320 E, 15.12.2005, p. 247.

1. Calls on the HR/VP, the Commission and the Member State governments to strongly oppose the use of sexual assaults, intimidation and targeting of women in Libya and Egypt;
2. Strongly condemns forced virginity tests inflicted by the Egyptian army on women protesters arrested in Tahrir Square and considers this practice as unacceptable as it amounts to a form of torture; calls on the Egypt's Supreme Military Council to take immediate measures to stop this degrading treatment and to ensure that all security and army forces are clearly instructed that torture and other ill-treatment, including forced virginity tests, cannot longer be tolerated;
3. Calls on the Egyptian authorities to take urgent steps to end torture, investigate all cases of abuse against peaceful demonstrators, and stop prosecuting civilians before military tribunals; is particularly concerned by reports from Human Rights organisations stating that minors have been arrested and condemned by military tribunals;
4. Recommends that an independent inquiry be established to hold the perpetrators accountable, with particular reference to the investigation of crimes committed by Gaddafi under the terms of the International Criminal Court;
5. Stresses that everyone should be able to express their views on the democratic future in their country without being detained, tortured or subjected to degrading and discriminatory treatment;
6. Strongly believes that the changes taking place in North Africa and the Middle East must contribute towards the end of discrimination of women and their full participation in society on equal terms with men and in compliance with the United Nations Convention on the Elimination of All Forms of Discrimination against Women, CEDAW;
7. Stresses the need to ensure women's rights generally in the new democratic and legal structures of these societies;
8. Emphasises that the role of women in the revolutions should be acknowledged, including the threats they face and the way in which they can defend their rights;
9. Stresses that there is a need to mainstream human rights and ENP policies and to actively share EU experience on gender violence and equality, as an integral part of the democratisation process; also stresses the need to effectively implement the EU guidelines on violence against women and girls and combating all forms of discrimination against them, in particular to prevent sexual violence against women, to protect and support victims and prosecute of the perpetrators of such violence;
10. Emphasises the need to implement gender mainstreaming and to support specific actions so as to achieve an effective and systematic gender-equality approach in the ENP countries; urges governments and civil society to increase women's social inclusion, fight female illiteracy, promote women's employment and their financial autonomy so as to ensure a meaningful presence of women at all levels;
11. Calls on the VP/HR, the EEAS and the Commission to place at the top of the agenda for

their talks with ENP southern countries the EU's political priorities of death penalty abolition, respect for human rights, including women's human rights, and respect for fundamental freedoms, and the ratification of a number of international legal instruments, including the Rome Statute of the International Criminal Court and the 1951 Convention relating to the Status of Refugees;

12. Instructs its President to forward this resolution to the Council, the Commission and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy.