



TEXTS ADOPTED

P8_TA(2016)0051

Systematic mass murder of religious minorities by ISIS

European Parliament resolution of 4 February 2016 on the systematic mass murder of religious minorities by the so-called ‘ISIS/Daesh’ (2016/2529(RSP))

The European Parliament,

- having regard to its previous resolutions of 27 February 2014 on the situation in Iraq¹, of 18 September 2014 on the situation in Iraq and Syria, and the IS offensive, including the persecution of minorities², in particular paragraph 4 thereof, of 27 November 2014 on Iraq: kidnapping and mistreatment of women³, of 12 February 2015 on the humanitarian crisis in Iraq and Syria, in particular in the IS context⁴, and specifically paragraph 27 thereof, of 12 March 2015 on recent attacks and abductions by ISIS/Daesh in the Middle East, notably of Assyrians⁵, in particular paragraph 2 thereof, of 12 March 2015 on the Annual Report on Human Rights and Democracy in the World 2013 and the European Union’s policy on the matter⁶, in particular paragraphs 129 and 211 thereof, of 12 March 2015 on the EU’s priorities for the UN Human Rights Council in 2015⁷, in particular paragraphs 66 and 67 thereof, of 30 April 2015 on the persecution of Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab⁸, in particular paragraph 10 thereof, and of 30 April 2015 on the destruction of cultural sites perpetrated by ISIS/Daesh⁹,
- having regard to its recommendation to the Council of 18 April 2013 on the UN principle of the ‘Responsibility to Protect’ (‘R2P’)¹⁰,
- having regard to the Council conclusions of 16 March 2015 on the EU Regional Strategy for Syria and Iraq as well as the ISIL/Daesh threat, of 20 October 2014 on the ISIL/Daesh crisis in Syria and Iraq, of 30 August 2014 on Iraq and Syria, of 14 April 2014 and 12 October 2015 on Syria, and of 15 August 2014 on Iraq,

¹ Texts adopted, P7_TA(2014)0171.

² Texts adopted, P8_TA(2014)0027.

³ Texts adopted, P8_TA(2014)0066.

⁴ Texts adopted, P8_TA(2015)0040.

⁵ Texts adopted, P8_TA(2015)0071.

⁶ Texts adopted, P8_TA(2015)0076.

⁷ Texts adopted, P8_TA(2015)0079.

⁸ Texts adopted, P8_TA(2015)0178.

⁹ Texts adopted, P8_TA(2015)0179.

¹⁰ Texts adopted, P7_TA(2013)0180.

- having regard to Council Decision 2003/335/JHA of 8 May 2003 on the investigation and prosecution of genocide, crimes against humanity and war crimes¹,
- having regard to: the EU Guidelines on the promotion and protection of freedom of religion or belief; the EU Guidelines on promoting compliance with international humanitarian law; the EU guidelines on violence against women and girls and combating all forms of discrimination against them; the guidelines for EU policy towards third countries on torture and other cruel, inhuman or degrading punishment or treatment; the EU Guidelines on children and armed conflict; the EU Guidelines on the promotion and protection of the rights of the child; and the EU Human Rights Guidelines on freedom of expression online and offline; and the EU Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons,
- 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) on Iraq and Syria,
- having regard to Resolution 2091 (2016) ‘Foreign fighters in Syria and Iraq’ adopted by the Parliamentary Assembly of the Council of Europe on 27 January 2016,
- having regard to the statement of the UN High Commissioner for Human Rights, Navi Pillay, of 25 August 2014 on ‘Iraqi civilians suffering “horrific” widespread and systematic persecution’,
- having regard to the recent UN Security Council resolutions on Iraq and Syria, in particular Resolution 2249 (2015) condemning recent terrorists attacks by ISIS and Resolution 2254 (2015), endorsing a road map for the peace process in Syria and setting a timetable for talks,
- having regard to Resolution S-22/1 adopted by the UN Human Rights Council on ‘The human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups’, of 3 September 2014,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984,
- having regard to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948,
- having regard to the Rome Statute of the International Criminal Court, in particular Articles 5 to 8 thereof,
- having regard to the Analysis Framework by the Office of the UN Special Adviser on the Prevention of Genocide (OSAPG),

¹ OJ L 118, 14.5.2003, p. 12.

- having regard to the statement of 12 August 2014 by the Special Adviser of the UN Secretary-General on the Prevention of Genocide and the Special Adviser of the UN Secretary-General on the Responsibility to Protect on the situation in Iraq,
 - having regard to the Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups, of 27 March 2015, in particular paragraph 16 thereof on ‘Violations Perpetrated by ISIL – Attacks against religious and ethnic groups’,
 - having regard to the statement of 13 October 2015 by the Special Adviser of the UN Secretary-General on the Prevention of Genocide and the Special Adviser of the UN Secretary-General on the Responsibility to Protect on the escalation of incitement to violence in Syria on religious grounds,
 - having regard to the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, presented in the Human Rights Council on 13 August 2015, in particular paragraphs 165 to 173 thereof,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas, as recognised by UN Security Council Resolution 2249 (2015), the violent extremist ideology of the so-called ‘ISIS/Daesh’, its terrorist acts, its continued gross systematic and widespread attacks directed against civilians, abuses of human rights and violations of international humanitarian law, including those perpetrated on religious or ethnic grounds, and its eradication of cultural heritage and trafficking of cultural property constitute a global and unprecedented threat to international peace and security;
 - B. whereas religious and ethnic minorities, such as Christian (Chaldean/Syriac/Assyrian, Melkite and Armenian), Yazidi, Turkmen, Shabak, Kaka’i, Sabae-Mandean, Kurdish and Shi’a communities, as well as many Arabs and Sunni Muslims, have been targeted by the so-called ‘ISIS/Daesh’; whereas many have been killed, slaughtered, beaten, subjected to extortion, abducted and tortured; whereas they have been enslaved (in particular women and girls, who have also been subjected to other forms of sexual violence) and forcibly converted, and have been victims of forced marriage and trafficking in human beings; whereas children have also been forcibly recruited; whereas mosques, monuments, shrines, churches and other places of worship, tombs and cemeteries have been vandalised;
 - C. whereas genocide, crimes against humanity and war crimes, wherever and whenever they happen, must not go unpunished, and whereas their effective prosecution must be ensured by taking measures at national level, by enhancing international cooperation and through the International Criminal Court and international criminal justice;
 - D. whereas genocide, crimes against humanity and war crimes are of concern to all EU Member States, which are determined to cooperate with a view to preventing such crimes and putting an end to the impunity of their perpetrators, in accordance with Council Common Position 2003/444/CFSP of 16 June 2003;
 - E. whereas UN Security Council Resolution 2249 (2015) authorises those member states that have the capacity to do so to take all necessary measures, in compliance with international law, in particular with the United Nations Charter, and with international human rights,

refugee and humanitarian law, on the territory under the control of the so-called 'ISIS/Daesh', in Syria and Iraq, to redouble and coordinate their efforts to prevent and suppress terrorist acts;

- F. whereas the international legal definition of genocide, in accordance with Article II of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide, includes the words: 'any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of one group to another group'; whereas Article III of that Convention considers punishable not only genocide, but conspiracy to commit genocide, direct and public incitement to commit genocide, and complicity in genocide;
- G. whereas since 2014 an estimated 5 000 Yazidis have been killed, while many others have been tortured or forcibly converted to Islam; whereas at least 2 000 Yazidi women have been enslaved, and made victims of forced marriage and trafficking; whereas girls as young as six have been raped and Yazidi children have been forcibly recruited as soldiers for the so-called 'ISIS/Daesh'; whereas there is clear evidence of mass graves of Yazidi people abducted by the so-called 'ISIS/Daesh';
- H. whereas on the night of 6 August 2014 more than 150 000 Christians fled the advance of the so-called 'ISIS/Daesh' over Mosul, Qaraqosh and other villages in the Nineveh Plains, having been robbed of all their belongings, and whereas to date they remain displaced and in precarious conditions in northern Iraq; whereas the so-called 'ISIS/Daesh' captured those who were unable to flee from Mosul and the Nineveh Plains, and whereas non-Muslim women and children were enslaved, with some being sold and others brutally killed and filmed by the perpetrators;
- I. whereas in February 2015 the so-called 'ISIS/Daesh' kidnapped more than 220 Assyrian Christians after overrunning several farming communities on the southern bank of the Khabur river in the north-eastern province of Hassakeh, and whereas to date only a few have been released, while the fate of the others remains unknown;
- J. whereas several reports by UN bodies, including the Special Adviser of the UN Secretary-General on the Prevention of Genocide, the Special Adviser of the UN Secretary-General on the Responsibility to Protect and the Office of the United Nations High Commissioner for Human Rights, have stated that acts committed by the so-called 'ISIS/Daesh' may amount to war crimes, crimes against humanity and genocide;
- K. whereas the International Independent Commission of Inquiry has documented and reported that persons from ethnic and religious minorities opposing the so-called 'ISIS/Daesh' and other terrorist groups, militias and non-state armed groups in areas under their de facto control continue to be persecuted;
- L. whereas, according to the 'Responsibility to Protect' (R2P) principles, when a state (or non-state actor) manifestly fails to protect its population or is in fact a perpetrator of such crimes, the international community has a responsibility to take collective action to protect populations, in accordance with the UN Charter;

- M. whereas under international law each individual has the right to live according to his or her conscience and to freely hold and change religious and non-religious beliefs; whereas political and religious leaders have a duty at all levels to combat extremism and to promote mutual respect among individuals and religious groups;
1. Recalls its strong condemnation of the so-called 'ISIS/Daesh' and its egregious human rights abuses, which amount to crimes against humanity and war crimes, within the meaning of the Rome Statute of the International Criminal Court (ICC), and that action should be taken for it to be recognised as genocide by the UN Security Council; is extremely concerned at this terrorist group's deliberate targeting of Christians (Chaldeans/Syriacs/Assyrians, Melkites, Armenians), Yazidis, Turkmen, Shi'ites, Shabaks, Sabeans, Kaka'i and Sunnis who do not agree with their interpretation of Islam, as part of its attempts to exterminate any religious and ethnic minorities from the areas under its control;
 2. Expresses its view that the persecution, atrocities and international crimes amount to war crimes and crimes against humanity; stresses that the so-called 'ISIS/Daesh' is committing genocide against Christians and Yazidis, and other religious and ethnic minorities, who do not agree with the so-called 'ISIS/Daesh' interpretation of Islam, and that this therefore entails action under the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide; underlines the fact that those who intentionally, for ethnic or religious reasons, conspire in, plan, incite, commit or attempt to commit, are complicit in or support atrocities should be brought to justice and prosecuted for violations of international law, notably war crimes, crimes against humanity and genocide;
 3. Urges each of the Contracting Parties to the UN Convention on the Prevention and Punishment of the Crime of Genocide, signed at Paris on 9 December 1948, and to other relevant international agreements, in particular the EU Member States, to prevent war crimes, crimes against humanity and genocide within their territory; urges Syria and Iraq to accept the jurisdiction of the International Criminal Court;
 4. Urges the members of the UN Security Council to support a referral by the Security Council to the International Criminal Court in order to investigate violations committed in Iraq and Syria by the so-called 'ISIS/Daesh' against Christians, Yazidis and religious and ethnic minorities;
 5. Urges each of the Contracting Parties to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, of 1948, and to other international agreements for the prevention and punishment of war crimes, crimes against humanity and genocide, and in particular the competent authorities of countries – and their nationals – which are in any way supporting, cooperating in or funding, or are complicit in, these crimes, to wholly fulfil their legal obligations under the convention and such other international agreements;
 6. Urges the competent authorities of those countries which are in any way directly or indirectly supporting, cooperating in or funding, or are complicit in, these war crimes, crimes against humanity and genocide, to wholly fulfil their legal obligations under international law and to stop these unacceptable behaviours, which are causing enormous damage to the Iraqi and Syrian societies and are seriously destabilising neighbouring countries and international peace and security;
 7. Recalls that UN Security Council Resolution 2253 (2015) imposed a legal duty on UN member states to prohibit any kind of assistance to the so-called 'ISIS/Daesh' and other

terrorist organisations, notably supplying arms and financial assistance, including the illegal oil trade, and urges them to make this kind of assistance a crime under domestic law; recalls that failure to act in consequence by some member states would constitute a violation of international law and endow other member states with a legal duty to implement the UN Security Council resolution by acting to bring the responsible individuals and entities to justice;

8. Denounces in the strongest terms the destruction of religious and cultural sites and artefacts by the so-called 'ISIS/Daesh', which constitutes an attack against the cultural heritage of all inhabitants of Syria and Iraq and of humanity at large; calls on all states to step up their criminal investigations and judicial cooperation with a view to identifying all groups responsible for illicit trafficking in cultural goods and for damaging or destroying cultural heritage that belongs to all of humanity in Syria, Iraq and the broader Middle East and North African regions;
9. Urges all the countries of the international community, including the EU Member States, to work actively on fighting radicalisation and to improve their legal and jurisdictional systems in order to avoid their nationals and citizens being able to travel to join the so-called 'ISIS/Daesh' and participate in violations of human rights and international humanitarian law, and to ensure that, should they do so, they are criminally prosecuted as soon as possible, including for online incitement and support to commit those crimes;
10. Calls for the EU to establish a permanent Special Representative for Freedom of Religion and Belief;
11. Recognises, supports and demands respect by all for the inalienable right of all ethnic and religious minorities, and others, living in Iraq and Syria, 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; believes that, in order to stem the suffering and the mass exodus of Christians, Yazidis and other communities of the region, a clear and unequivocal statement by all regional political and religious leaders in support of their continued presence and full and equal rights as citizens of their home countries is imperative;
12. Requests the international community and its member states, including the EU and its Member States, to ensure the necessary security conditions and prospects for all those who have been forced to leave their homeland or have been forcibly displaced, to make effective as soon as possible their right to return to their homelands, to preserve their homes, land, property and belongings, as well as their churches and religious and cultural sites, and to be able to have a dignified life and future;
13. Recognises that the ongoing persecution of religious and ethnic groups in the Middle East is a factor that contributes to mass migration and internal displacement;
14. Stresses the importance of the international community providing protection and aid, including military protection and aid, in accordance with international law, to all those targeted by the so-called 'ISIS/Daesh' and other terrorist organisations in the Middle East, such as ethnic and religious minorities, and of such people's participation in future political lasting solutions; calls on all parties involved in the conflict to respect universal human rights and to facilitate the provision of humanitarian aid and assistance through all possible channels; calls for the creation of humanitarian corridors; considers that safe havens, protected by UN-mandated forces, could be part of the answer to the massive

challenge of providing temporary protection for millions of refugees from the conflict in Syria and Iraq;

15. Reaffirms its full and active support for international diplomatic efforts and the work of UN Special Envoy Staffan de Mistura aimed at launching peace negotiations in Geneva between all Syrian parties, with the participation of all the relevant global and regional players, in the coming days, as well as his proposals for local ceasefires; calls for the EU and the international community to put pressure on all donors to fulfil their promises and to fully commit themselves to providing financial support for the host countries, especially ahead of the Syria donors' conference in London on 4 February 2016;
16. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Government and Parliament of Syria, the Government and Council of Representatives of Iraq, the Regional Government of Kurdistan, the institutions of the Organisation of Islamic Cooperation (OIC), the Cooperation Council for the Arab States of the Gulf (Gulf Cooperation Council, GCC), the United Nations Secretary-General, the United Nations General Assembly, the UN Security Council and the UN Human Rights Council.