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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Syria: the case of Muhannad Al Hassani

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on behalf of the Verts/ALE Group

European Parliament resolution on Syria: the case of Muhannad Al Hassani

The European Parliament,

- having regard to the Universal Declaration of Human Rights of 1948;
 - having regard to the UN Declaration on Human Rights Defenders of 1998;
 - having regard to the International Covenant on Civil and Political Rights, which was ratified by Syria on 21 April 1969;
 - having regard to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was ratified by Syria on 18 September 2004;
 - having regard to Article 11(1) of the Treaty on the European Union which establishes the promotion of human rights as an objective of the common foreign and security policy;
 - having regard the European Union Guidelines for Human Rights Defenders of 2004;
 - having regard to its previous resolutions on Syria, in particular those of 8 September 2005 on political prisoners in Syria, 15 June 2006 on human rights in Syria and 24 May 2007 on human rights in Syria;
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas Muhannad Al Hassani, a leading human rights lawyer, President of the Syrian Human Rights Organisation (Swasiah) and member of the Damascus Bar Association for 15 years was arrested by State Security agents on 28 July 2009 and formally charged two days later with making “declarations aimed at weakening national sentiment” and “spreading false or exaggerated statements aimed at weakening the nation” according to Art. 385 and 386 of the Syrian Penal Code;
- B. whereas Mr Al Hassani was involved in the monitoring of detention conditions in Syria and notably of legal practices of the Supreme State Security Court (SSSC) whose trials fall short of international standards according to the Human Rights Watch report of February 2009 ;
- C. whereas the practices of harassment, restrictions of freedom of movement and arbitrary arrest are part of a persistent policy of repression conducted by Syrian authorities to prevent human rights defenders from carrying out their legitimate and non-violent activities;
- D. whereas the continued application of the Emergency Law since 1963 is effectively limiting citizens in the exercise of their civil and political rights and violates the International Covenant on Civil and Political Rights (ICCPR), to which Syria is a party;

E. whereas the Association Agreement between the European Community and its Member States, of the one part, and the Syrian Arab Republic, of the other part, is still to be signed and ratified; whereas respect for human rights is an essential part of this Agreement;

F. whereas Syria has an important role to play in finding lasting peace and stability in the Middle East;

1. Urges the Syrian authorities to immediately release Muhannad Al Hassani and to guarantee his physical and psychological integrity;

2. Expresses its deep concern at the increasing wave of repression targeting human rights defenders and at the lack of progress in respect for human rights and fundamental freedoms in Syria;

3. Calls on the Syrian authorities to put an end to this policy of persecution and harassment of human rights defenders and their families and to immediately release all prisoners of conscience, human rights defenders and peace activists;

4. Calls on the Syrian government to adopt urgent measures so as to put its legislation in conformity with its international human rights obligations, notably by repealing the Emergency Law and dissolving the Supreme State Security Court;

5. Urges the Syrian authorities to strictly comply with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other pertinent international documents and standards to ensure that detainees in Syrian prisons

(a) are well treated and not subjected to torture or other ill-treatment,

(b) are given prompt, regular and unrestricted access to their families, lawyers and doctors;

6. Sees the prospect of signing the Association Agreement as an important opportunity for addressing ongoing human rights violations and strengthening the reform process in Syria; calls on the Swedish Presidency, the Council and the Commission to make full use of this crucial leverage by adopting a roadmap, prior to the signing of the agreement, which clearly articulates the specific human rights improvements it expects from the Syrian authorities;

7. Instructs its President to forward this resolution to the Council, the Commission, and the Government and Parliament of the Syrian Arab Republic.