



EUROPEAN PARLIAMENT

2009 - 2014

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*Session document*

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7.9.2010

B7-0511/2010

## **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 human rights in Syria: with special regard to the case of Haythan Al-Maleh

**Frédérique Ries, Ramon Tremosa i Balcells, Marielle De Sarnez, Renate Weber, Leonidas Donskis**  
on behalf of the ALDE Group

**European Parliament resolution on human rights in Syria: with special regard to the case of Haythan Al-Maleh**

*The European Parliament,*

- 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, 24 May 2007 on human rights in Syria and 17 September 2009,
- having regard to the Universal Declaration of Human Rights of 1948;
- having regard to the United Nations Declaration on Human Rights Defenders of 1998,
- having regard to the International Covenant on Civil and Political Rights, to which Syria is a party,
- 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 its recommendation 10 October 2006 to the Council on the conclusion of a Euro-Mediterranean Association Agreement between the European Community and its Member States, of the one part, and the Syrian Arab Republic, of the other part
- having regard to Articles 3 and 21 of the TFEU,
- having regard to the European Union Guidelines on Human Rights, and in particular to the European Union Guidelines on Human Rights Defenders, adopted in June 2004, and reviewed in 2008,
- having regard to the report on EU policies in favour of human rights defenders adopted by the European Parliament on 14 May 2010,
- having regard to the EU Declaration by HR Ashton on Syria human rights cases of 26 July 2010,

A. Whereas Syria is of geostrategic importance in the region of the Near and Middle East and has an important role to play in finding lasting peace and stability in the region;

B. Whereas the Association Agreement between the European Community and its Member States, on one part, and the Syrian Arab Republic, on the other part, is still to be signed since October 2009; whereas the signature of this Agreement has been delayed at the request of Syria;

C. Whereas respect for human rights constitutes an essential part of this Agreement and

stressing that priority must be given to ensuring that the promotion of human rights as both a basic value and an objective of the Union's foreign policy are duly mirrored in the continuing dialogue between the EU and Syria and in their contractual relations;

D. Whereas Mr Muhannad Al Hassani and Mr Haitham Al Maleh, two prominent Syrian human rights lawyer, were sentenced respectively on 23 June and 4 July 2010 to three years' imprisonment on the grounds of "transferring false and exaggerated news that weaken national sentiment", under Articles 285 and 286 of the Syrian Criminal Code;

E. Whereas the prosecution and conviction of Mr Muhannad Al Hassani for charges related to his professional activities as a lawyer, including his observation and reporting on public hearings before the State Security Court and of Mr Haitham Al Maleh for charges related to public statements he made on legal and political systems in Syria amount to a form of punishment for the exercise of their legitimate right to freedom of expression provided by the ICCPR, to which Syria is a party;

F. Whereas 79-year old Mr Al Maleh's health has seriously deteriorated during the summer and is deprived of any regular access to medication;

G. Whereas writer Ali Abdullah, one of the 12 signatories of the Damascus Declaration, still remains imprisoned although he was supposed to be released on 14 June 2010 after having completed his sentence;

H. 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 towards human rights defenders; whereas the continued application of the Emergency Law is effectively limiting citizens in the exercise of the right to freedom of expression, association and assembly;

1. Urges the Syrian authorities to immediately and unconditionally release Messrs. Al Maleh, Al Hassani and Abdullah and to ensure that they are free to carry out their human rights activities without any hindrance or intimidation;
2. 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, including Anouar Al Bunni;
3. Calls on the Syrian Government to reconsider the cases of political prisoners and to release all prisoners of conscience, human rights defenders and peace activists;
4. Calls on the Syrian authorities to restore and ensure the transparent functioning of the judicial system, with special regard to 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 : 1) are well-treated and not subjected to torture or other ill-treatment, 2) are given prompt, regular and unrestricted access to their families, lawyers and doctors;

6. Is confident that Syria, which could play an important role in achieving peace in the region, will improve and support human rights and freedom of expression in the country;
7. Calls on the Syrian authorities to abide by their obligations under international human rights law and to put an end to the state of emergency decreed in 1963;
8. Stresses that, according to Article 218 of the TEU, Parliament should be fully informed at all stages of the negotiations of an international agreement; calls therefore on the Commission to report back to the Parliament on the state of discussions with Syrian authorities concerning the signature of the Association Agreement;
9. 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 Council and the Commission to make full use of this crucial leverage by adopting a bilateral Human Rights and Democracy Action Plan which clearly articulates specific human rights improvements it expects from the Syrian authorities;
10. Instructs its President to forward this resolution to the Council, the Commission, and the Government and Parliament of the Syrian Arab Republic.