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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 human rights in Syria: in particular the case of Haythan Al-Maleh

**Véronique De Keyser, Saïd El Khadraoui, Richard Howitt**  
on behalf of the S&D Group

**European Parliament resolution on human rights in Syria: in particular the case of Haytham 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 on Syria: the case of Muhannad Al-Hassani,
- having regard to the report on EU policies in favour of human rights defenders adopted by the European Parliament on 17 June 2010,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to the UN Declaration on Human Rights Defenders of 1998,
- having regard to the European Union Guidelines on Human Rights Defenders,
- having regard to the Joint Declaration of the Paris Summit for the Mediterranean of 13 July 2008,
- having regard to the Declaration by EU HR Catherine Ashton on Syrian human rights cases of 27 July 2010,
- having regard to Rule 122(5) of its Rules of Procedure,

A. Whereas Mr. Haythan Al-Maleh, a 79 years old human rights lawyer, was sentenced by a Syrian military court on 4 July 2010 to three years of imprisonment for "conveying false news within Syria that could debilitate the morale of the nation";

B. Whereas Mr. Al-Maleh, who is suffering from arthritis, diabetes, and thyroid problems, is deprived of regular access to medication; whereas his health conditions have seriously deteriorated during this summer;

C. Whereas Mr. Al-Maleh had already been arbitrarily arrested by officers of the General Intelligence Service on 14 October 2009 and had been held incommunicado until his interrogation by the Military Prosecutor on 20 October 2009;

D. Whereas, according to reports by trial monitoring missions organised by international civil society organisations, the trial of Mr. Al-Maleh failed to meet with international standards of fair trial, including the right to be presumed innocent, the right to defence, and the right to equality of arms;

E. Whereas other prominent Syrian human rights defenders, including Mr. Muhanad Al-Hassani and Mr. Ali Al-Abdullah, are detained in the country;

F. Whereas the practices of harassment, restriction of freedom of movement, and arbitrary arrest are regularly used by Syrian authorities against human rights defenders in the country; 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;

G. Whereas the European Parliament and its President have already intervened several times in favour of the release of human rights defenders detained in Syrian prisons;

H. Whereas the partnership between participant countries in the Union for the Mediterranean is based on the commitment to fully respecting democratic principles, human rights, and fundamental freedoms, as enshrined in international human rights law;

I. 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; whereas the signature of the Agreement has been delayed at the request of Syria;

J. Whereas Syria has a special geostrategic importance in the Middle East as well as an important role to play in finding lasting peace and stability in the region;

1. Expresses its deepest concerns about the situation of Mr. Haythan Al-Maleh and calls upon the Syrian authorities to immediately and unconditionally release him as well as to guarantee, under all circumstances, his physical and psychological integrity;

2. Calls on the Syrian Government to reconsider all cases of prisoners of conscience in accordance with the national Constitution and the country's international commitments, and to immediately release all such prisoners;

3. Calls on the Syrian authorities to put an end to any persecution or harassment of human rights defenders and their families; stresses that human rights defenders should be able to carry out their legitimate and peaceful work without fear and reprisals under all circumstances;

4. Calls on the Syrian authorities to abide by the international human rights standards and international commitments the country freely entered into, in particular under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which guarantee freedom of opinion and of expression as well as the right to a fair trial;

5. Welcomes the continuing dialogue between the European Union and Syria and hopes that these efforts will result in improvements not only in political, economic, and social dimensions, but also in the field of respect for human rights;

6. Sees the prospect of signing the Association Agreement as an important opportunity to address human rights violations in Syria; calls on the Council and the Commission to make full use of this crucial leverage;

7. Reiterates its call for the abrogation of the state of emergency in Syria, established more than 40 years ago;

8. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the European Union for Foreign Affairs and Security Policy, and the Government and Parliament of the Syrian Arab Republic.