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B7-0248/2011

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

**Eva-Britt Svensson, Sabine Lösing, Patrick Le Hyaric, Nikolaos Chountis,
Cornelia Ernst, Ilda Figueiredo, Marisa Matias, Jacky Hénin, Marie-
Christine Vergiat**

on behalf of the GUE/NGL 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 the Universal Declaration of Human Rights, of 10 December 1948,
- having regard to UN Security Council Resolutions 1325 (2000) and 1820 (2008) on women, peace and security, and UN Security Council Resolution 1888 (2009) on sexual violence against women and children in situations of armed conflict, which emphasises the responsibility of all states to put an end to impunity and to prosecute those responsible for crimes against humanity and war crimes, including those relating to sexual and other violence against women and girls,
- having regard to the appointment in March 2010 of a Special Representative to the UN Secretary General on Sexual Violence in armed conflict,
- having regard to the EU Guidelines on violence and discrimination against women and girls and the EU guidelines on children and armed conflict,
- having regard to the new UN Gender Entity (UN Women),
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984, and to UN General Assembly Declaration 3318 on the Protection of Women and Children in Emergency and Armed Conflict of 14 December 1974, in particular paragraph 4 thereof, which calls for effective measures against persecution, torture, violence and degrading treatment of women,
- having regard to the EUSEC RD Congo security sector reform mission, established in June 2005 (Council Joint Action 2005/355/CFSP of 2 May 2005 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC)),
- having regard to the Council Joint Action 2009/769/CFSP of 19 October 2009 amending Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo),
- 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,

¹ OJ C 41 E, 19.2.2009, p. 83.

- 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 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 law graduate Iman al-Obeidi was dragged out of a Tripoli hotel on 26 March by security forces and detained, after announcing to international journalists that she had been raped by Libyan soldiers loyal to Colonel Mu'ammar Gaddafi,
 - C. 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 and subsequently subjected to torture and rape, while the virginity tests were performed and photographed in the presence of male soldiers, and whereas some Egyptian women will be tried before military courts for failing virginity tests,
 - D. whereas, when part of a widespread and systematic practice, rape and sexual slavery are recognized under the Geneva Convention as crimes against humanity and war crimes; whereas rape is also now recognized as an element of the crime of genocide when committed with the intent to destroy, in whole or in part, a targeted group; whereas the EU should support efforts being aimed at ending impunity for perpetrators of sexual violence against women and children,
 - E. whereas in DR Congo a mass gang rape took place from 30 July 2010 to 4 August 2010, in the eastern Congo mining district, and at least 8300 rapes were reported last year in eastern Congo and that at least 1244 women reported being raped in the first quarter of 2010, which is an average of 14 rapes per day,
 - F. whereas it is proven that there is a disproportionate and unique impact of armed conflict on women; whereas through participation, prevention and protection, the roles of women in peace building and conflict prevention shall be strengthened, wars and conflicts shall be prevented and an improved protection of women and children in war and conflict regions shall be provided,

¹ OJ C 320 E, 15.12.2005, p. 247.

- G. whereas the implementation of the commitments of UNSCR 1820, 1888, 1889 and 1325 is a common concern and responsibility of each UN Member State, be it conflict-affected, donor or other; stressing in this respect the adoption in December 2008 of the EU Guidelines on violence against women and girls and EU Guidelines on children and armed conflict and combating all forms of discrimination against them which represent a strong political signal that these are priorities for the Union,
- H. whereas Women's rights, and their violation are increasingly used to legitimise military operations; whereas military interventions do not help to ensure Women's rights, but rather increase the violation against women and their rights,
- I. whereas only conflict prevention, mediation and the implementation of civil measures in conflict situations are able to prevent and avoid violations against women,
- J. whereas the implementation of UNSCR 1820 and 1325 and of the EU guidelines on violence against women and children should get priority in EU's external action for an adequate support of civil society organizations working in armed conflicts and conflict-affected countries and regions; whereas the European Parliament should observe these implementations,
- K. Whereas the African Union recently expressed its commitment to eradicate violence against women in war and conflict situations, and has appointed a special representative on women, peace, and security,
1. Calls on the Commission and the Member State Governments to strongly oppose the use of sexual assaults, intimidation and targeting of women in North Africa and the Middle East;
 2. Recommends that an independent inquiries be established to hold the perpetrators of sexual violence accountable, under the terms of the International Criminal Court;
 3. Calls on the EU and it's member states to renounce any support to regimes using armed forces, including regimes which send minors as soldiers in armed conflicts, which commit systematic human rights abuses or systematic sexual violence;
 4. Urges the EU Member states to definitively abandon the use of military force in international conflicts and wars and calls for an immediate halt to civil military cooperation;
 5. Condemn the recent plans of members of NATO to provide arms for the anti-government rebels in Libya as this will increase violence and have unpredictable consequences for the civilian population, in particular women and children;
 6. Calls for an end to the EUPOL mission to DR Congo, which along with the EUSEC DR Congo has admittedly had a negative contribution to escalating violence and the situation in the country by training soldiers and police that have been perpetrating crimes against their own civilian population and in particular against women and children;

7. Calls on the EU member states to promote actively and durable - both politically and financially - the full implementation of the Security Council resolution 1325 and the establishment of UN resolution-1325 control institutions and mechanisms at the European level and United Nations to ensure the implementation of the resolution on all international levels;
8. 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;
9. Emphasises that the role of women in the revolutions should be acknowledged, and stresses the need to ensure women's rights generally in the new democratic and legal structures of these societies;
10. Emphasises the need to implement gender specific measures and actions to stop violence against women, an effective and systematic gender-equality approach in the ENP policies; including eradicating women's poverty, fighting female illiteracy, promoting women's employment, ensuring women's access to sexual and reproductive health and rights, and achieving equal participation of women and men in decision-making;
11. Calls for its President to forward this resolution to the Council, the Member states' governments, the Commission and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy.