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Plenary sitting

<NoDocSe>B8‑1344/2016</NoDocSe>

<Date>{13/12/2016}13.12.2016</Date>

<TitreType>MOTION FOR A RESOLUTION</TitreType>

<TitreSuite>with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law</TitreSuite>

<TitreRecueil>pursuant to Rule 135 of the Rules of Procedure</TitreRecueil>

<Titre>on mass graves in Iraq</Titre>

<DocRef>(2016/3028(RSP))</DocRef>

<RepeatBlock-By><Depute>Charles Tannock, Ryszard Czarnecki, Angel Dzhambazki, Anna Elżbieta Fotyga, Arne Gericke, Karol Karski, Zdzisław Krasnodębski, Ryszard Antoni Legutko, Monica Macovei, Notis Marias, Geoffrey Van Orden, Tomasz Piotr Poręba, Valdemar Tomaševski, Ruža Tomašić, Raffaele Fitto, Branislav Škripek</Depute>

<Commission><OptDel>{ECR}on behalf of the ECR Group</OptDel></Commission>

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B8‑1344/2016

European Parliament resolution on mass graves in Iraq

(2016/3028(RSP))

*The European Parliament*,

–  having regard to its previous resolutions on Iraq and Syria, notably of 27 October on Situation in Northern Iraq/Mosul, of 27 February 2014 on the situation in Iraq, of 18 September 2014 on the situation in Iraq and Syria, and the IS offensive, including the persecution of minorities;

–  having regard to Council Decision 2003/335/JHA of 8 May 2003 on the investigation and prosecution of genocide, crimes against humanity and war crimes

–  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 recent UN Security Council resolutions on Iraq and Syria, in particular Resolution 2249 (2015) condemning terrorists attacks by ISIS and Resolution 2254 (2015);

–  having regard to the Universal Declaration of Human Rights of 1948,

–  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),

–  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 Rule 123(2) and (4) of its Rules of Procedure,

1. Whereas the Battle of Mosul, a joint offensive by Iraqi government forces with allied [Iraqi Kurdistan](https://en.wikipedia.org/wiki/Iraqi_Kurdistan) and international forces, was launched on 16 October 2016 to retake the city of [Mosul](https://en.wikipedia.org/wiki/Mosul) from the ISIS and is considered key in the [military intervention against ISIL](https://en.wikipedia.org/wiki/Military_intervention_against_ISIL), aiming at defeating the extremist Islamist terrorist threat in the region and beyond;
2. Whereas just before the operation began, with the Islamic State under increasing pressure from Iraqi security forces and the international military coalition, embarked on the mass extrajudicial killing of civilians, notably representatives of religious or ethnic minorities in the city, members of security forces and other public officials;
3. Whereas, according to a comprehensive survey by the Associated Press, published on 31 August, up to 15,000 victims of genocide and mass slaughter may be buried in mass graves scattered across territory formerly occupied by ISIS militants in Syria and Iraq, including those in Mosul, Fallujah, Tikrit and Sinjar;
4. Whereas in early November a mass grave was discovered by troops advancing towards the city of Mosul, in the grounds of an agricultural college in the town of Hamam al-Alil, containing at least 300 decapitated bodies; whereas, according to eyewitness testimony, at the end of October, i.e. shortly after the campaign for Mosul began, ISIS massacred several hundred former policemen held as prisoners; whereas the bodies in the grave, 30 kilometers southeast of Mosul, appeared to be of men killed in custody;
5. Whereas most recently, two mass graves of at least 18 members of Iraq's Yazidi minority, have been discovered by Kurdish Peshmerga forces near the Shababit junction in northwestern Iraq while scouting the area, containing bones and identity cards, covered over with sand by a bulldozer;
6. Whereas the mass grave, together with makeshift prisons and slaveholding houses, has become a horrible symbol of ISIS presence in the territory; whereas a large number of mass graves are expected to be discovered on a regular basis as liberation forces advance on Mosul;
7. Whereas all those examples provide clear evidence of systematic extrajudicial capturing, torturing, killing and enslaving of thousands of people by ISIS , which under international law, notably in accordance with Article II of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide - constitutes genocide;
8. Whereas genocide, crimes against humanity and war crimes are of concern to all EU Member States,

1. Strongly condemns those responsible for extrajudicial killings and expresses its deep sympathy and condolences to the families of the victims;

2. Emphasises the fact that most of the bodies identified in the mass graves in Iraq so far, were, in all appearance, victims of ISIL militants, contributing to the appalling increasing number of individuals and religious and ethnic groups targeted by the ISIS - including Christians, Yazidi, Turkmen, Shabak, Shia, Sunni Muslims as well as representatives of Iraqi public authorities or security forces;

3. Appeals forcefully to the international community, in particular to the UN Security Council, , to consider the reported mass graves in Iraq as evidence of genocide and to reassess the case for referring ISIS to the ICC; calls on the local authorities to conduct, with the assistance of the international organisations and institutions, proper investigations of each case of the mass graves discovered, including identification of the victims and ensure each victim receives a proper burial according to their local, ethnic or religious custom;

4. Calls on the local authorities and the international community to prosecute all those responsible for extrajudicial killings in Iraq, in accordance with Council Common Position 2003/444/CFSP of 16 June 2003 and other relevant acts of the international law; Calls on Iraq to ratify the Rome Statute to the International Criminal Court; Is of the opinion that the proper investigation of these killings and the indictment of those responsible will be one of the pre-requisites for sustainable peace;

5. Calls on the leaders and commanders of allied troops involved in the operation to liberate Mosul to inform immediately the international community about any mass grave discovered and to secure all those areas where possible, in order to enable investigation teams to conduct the necessary forensic examinations subsequently;

6. Calls on all the present on the spot to treat the bodies with all due respect; emphasises that all of the victims should receive a proper burial to the best of abilities; expresses its hope for solemn burial ceremonies organised by local authorities in the future;

7. Declares its full solidarity with all victims of the unspoken cruelty and barbarism of ISIS militants as well as its support to the Iraqi Government in all the initiatives aimed at securing a prosecution of all those responsible for such crimes;

8. Reiterates its full support to the Iraqi army, the armies of global anti-ISIS coalition, the Peshmerga forces, the Kurdish Regional Government (KRG) and Popular Mobilization Forces in their heroic efforts to liberate Mosul;

9. 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 Council of Representatives of Iraq, the Regional Government of Kurdistan, and the United Nations Secretary-General.