



Plenary sitting

B9-0129/2019

21.10.2019

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the Turkish military operation in northeast Syria and its consequences (2019/2886(RSP))

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on behalf of the S&D Group

**European Parliament resolution on the Turkish military operation in northeast Syria and its consequences
(2019/2886(RSP))**

The European Parliament,

- having regard to the European Council conclusions on Turkey, illegal drilling activities and MH17 of 17 October 2019,
- having regard to the conclusions of the Foreign Affairs Council on Syria of 14 October 2019,
- having regard to the declaration by the High Representative of the Union for Foreign Affairs and Security Policy on behalf of the EU on recent developments in north-east Syria of 9 October 2019,
- having regard to the US-Turkish agreement of 17 October 2019,
- having regard to the Universal Declaration of Human Rights of 1948 and other UN human rights treaties and instruments, including the UN Convention on the Rights of the Child,
- having regard to the Geneva Conventions of 1949 and the additional protocols thereto,
- having regard to the Convention Relating to the Status of Refugees of 1951 and the 1967 Protocol thereto,
- having regard to the NATO Treaty of 1949,
- having regard to the Chemical Weapons Convention of 1993,
- having regard to the joint communication from the Commission and the High Representative of 14 March 2017 entitled ‘Elements for an EU Strategy for Syria’ (JOIN(2017)0011) and to the Council conclusions on Syria of 3 April 2017, which together comprise the new EU strategy on Syria,
- having regard to the UN Security Council (UNSC) resolutions on Syria, in particular resolution 2254(2015) of 18 December 2015, resolution 2393(2017) of 19 December 2017 concerning authorisation for cross-border and cross-line aid delivery in Syria, and resolution 2401(2018) of 24 February 2018 concerning a 30-day cessation of hostilities in Syria to enable humanitarian aid delivery,
- having regard to UN General Assembly resolution 71/248 of 21 December 2016 establishing the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011,
- having regard to the Rome Statute and the founding documents of the International

Court of Justice, and those of ad hoc tribunals, including the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda and the Special Tribunal for Lebanon,

- having regard to its previous resolutions on Syria,
 - having regard to its previous resolutions on Turkey,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas on 6 October, during a phone conversation with the President of Turkey Recep Tayyip Erdoğan, the US President Donald Trump announced that the US would not stand in the way of a Turkish offensive in the northeast of Syria, which President Erdoğan had announced days earlier; whereas, in a subsequent statement, the US announced the withdrawal of its troops from ‘immediate’ areas, effectively clearing them for a Turkish offensive; whereas following this announcement, on 9 October, the Turkish army, with the support of the Syrian Arab militias, started bombarding positions along the Turkish-Syrian border with artillery and from the air, and initiated a ground incursion in the northeast of Syria; whereas the UNSC has not yet taken any action on the crisis;
- B. whereas the Turkish Government identified the Syrian Democratic Forces (SDF) as the main target of its military operation in northeast Syria; whereas the SDF played a key role in the global coalition against the terrorist organisation Daesh; whereas the SDF lost some 11 000 fighters in the war against Daesh; whereas the SDF is led by the People’s Protection Units (YPG), which Turkey considers an offshoot of the Kurdish Workers’ Party, which is for its part on Turkey’s and the EU’s list of terrorist organisations;
- C. whereas on 17 October, the health authority of the Kurdish-led administration in north-eastern Syria reported that at least 218 civilians, including 18 children, have been killed in Syria since the Turkish offensive began; whereas according to Turkish authorities, 18 civilians have died and 150 have been injured in Turkey as of 15 October, as a result of mortar attacks they attribute to Kurdish forces in Syria;
- D. whereas according to the United Nations, more than 130 000 people have been displaced since the start of the Turkish offensive; whereas Turkey claims it has killed nearly 600 ‘terrorists’ and reports by the Syrian Observatory for Human Rights state that dozens of civilians were killed; whereas atrocities are being committed by the Turkish army and its allies from Syrian Arab militias against SDF fighters, local politicians and activists, and the civilian population;
- E. whereas Turkish-backed forces allegedly used munitions loaded with white phosphorus; whereas photos and videos from the hospitals in Tal Tamr and al-Hasakah show children with severe chemical burns; whereas Turkey denied these accusations; whereas the SDF called on international organisations to send experts to investigate the issue; whereas UN chemical weapons inspectors have announced that they have started collecting information following these accusations;
- F. whereas hundreds of Daesh members, some of them EU citizens, are reported to have

escaped from SDF custody amid the Turkish offensive; whereas their whereabouts are as yet unknown; whereas the SDF claims to hold around 10 000 Islamic State fighters;

- G. whereas in various provinces there are credible reports of the Turkish authorities arbitrarily detaining and forcibly returning scores of Syrians into northern Syria since July 2019, in violation of Turkey's international obligation not to return anyone to a place where they would face a real risk of persecution, torture or other ill-treatment, or a threat to their life;
- H. whereas the establishment of safe zones in Syria raises serious concerns about the safety of people displaced by the conflict and those that could be relocated from Turkey; whereas the establishment of such zones would violate the rights of the local population, effect fundamental demographic change in the area, and be met with rejection and resistance locally; whereas safe zones in the context of military conflicts often become 'war zones' for civilians;
- I. whereas the Council condemned the Turkish operation and pledged to take initial steps regarding the arms sales to Turkey; whereas a number of EU Member States have already formally suspended arms sales to Turkey, in compliance with the provisions of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment;
- J. whereas the customs union between Turkey and the EU came into force in 1995 and has remained unchanged ever since; whereas as a result, the value of bilateral trade has seen a bigger than fourfold increase; whereas in 2018, Turkey remained the EU's fifth largest trading partner overall, while the EU is Turkey's most important trade partner by far and its main source of foreign direct investment (FDI); whereas in 2018 the initiative to modernise the customs union was suspended by the EU on account of the worrying political developments in Turkey;
- K. whereas the EU Facility for Refugees in Turkey provides significant additional funding to support refugees in Turkey, and manages a total of EUR 6 billion; whereas as a result of an unprecedented influx of people seeking refuge from the war in Syria, Turkey is currently hosting over 3.6 million Syrian refugees; whereas Turkey is making commendable efforts to provide these refugees with humanitarian aid and development support;
- L. whereas Turkey remains a key partner of the EU, a member of NATO and an important actor in the Syrian crisis and the region; whereas Article 1 of the NATO Treaty provides that the parties thereto undertake to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations;
- M. whereas the official position of the EU is to remain committed to the unity, sovereignty and territorial integrity of the Syrian state; whereas these objectives can only be guaranteed through a genuine political transition in line with UNSCR 2254 and the 2012 Geneva Communiqué, which was negotiated by the Syrian parties within the UN-led Geneva process;

- N. whereas an agreement was reached, under the auspices of the United Nations, by the government of the Syrian Arab Republic and the Syrian Negotiations Commission to establish a credible, balanced and inclusive Constitutional Committee that should facilitate a political solution to the Syrian war;
- O. whereas it is the obligation of the international community and individual states to hold to account those responsible for committing violations of international human rights and humanitarian law during the Syrian conflict, including by applying the principle of universal jurisdiction and national law; whereas this can be done on the basis of either existing national and international remedies, such as national courts and international tribunals, or ad hoc international criminal tribunals that have yet to be established; whereas in addition to such personal criminal accountability, states can under certain conditions also be prosecuted for breaches of obligations under international treaties and conventions over which the International Court of Justice has jurisdiction, including the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the 1948 Convention on the Prevention and Punishment of the Crime of Genocide;
1. Strongly condemns Turkey's invasion in the northeast of Syria as a violation of international law which poses a serious threat to the relative stability and security of the region, is causing the mass displacement of civilians and could contribute to the re-emergence of Daesh, which remains a security threat to citizens in Syria, Turkey, in the broader region and the EU, but also globally; deplores the unreliability of the United States as an ally for the manner in which its withdrawal from north-eastern Syria was announced and conducted;
 2. Calls on Turkey to put an immediate and definitive end to its military operation in northeast Syria, to declare a permanent ceasefire and to withdraw all of its forces from Syrian territory;
 3. Recognises and pays tribute to the SDF, particularly women, for its critical contribution as an ally in the fight against Daesh and for reaffirming the importance of freedom and civil rights in the development of the social, political and cultural life of the Kurdish-majority region of Syria;
 4. Takes note of the US-Turkish agreement of 17 October on a temporary ceasefire; rejects, however, its provisions legitimising the Turkish occupation of the 'safe zone' in northeast Syria; expresses deep concerns, furthermore, that the deal requires not only the displacement of the local population of Kurds, Yazidis and Assyrians, and Turkmen, Armenian, Arab and other minorities, but also their relocation to the Arab-majority areas, which would create new tensions and threats to the safety of the civilian populations; insists that there should be a global political settlement to the Syrian conflict based on the recognition of the unity, sovereignty and territorial integrity of the Syrian state, with full respect for the rights of all ethnic and religious components of Syrian society, within the framework of UNSCR 2254 and the 2012 Geneva Communiqué, which was negotiated by the Syrian parties within the UN-led Geneva process and lays the groundwork for a genuine political transition;
 5. Welcomes, in this regard, the launch of the Constitutional Committee and the efforts of

Geir O. Pedersen, the UN Secretary-General's Special Envoy for Syria, which should provide a credible, balanced and inclusive basis for political process among Syrians that is free from external interference; calls for the SDF to be included in this process; recalls that there can be no sustainable military solution to the conflict and calls on all parties thereto to comply in full with UNSC resolutions requiring the immediate cessation of hostilities, the lifting of all sieges, full and unhindered country-wide humanitarian access, and the protection of humanitarian aid workers by all parties;

6. Firmly rejects Turkey's plans to establish a so-called safe zone along the border in northeast Syria; stresses that any forcible transfer of Syrian refugees or internally displaced persons (IDPs) to this area would constitute a grave violation of conventional international refugee law, international humanitarian law and the principle of non-refoulement; recalls that any return of refugees must be safe, voluntary and dignified and that the current circumstances are such as to categorically prevent such movements; insists that no EU stabilisation or development assistance be delivered to such areas;
7. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, for as long as the Turkish military operation in Syria continues, to introduce an initiative in the Council for all EU Member States to put an immediate and complete halt on all arms exports licensing to Turkey and other parties to the conflict in Syria against whom there are credible allegations of serious violations of international law, including dual-use technology goods, in accordance with Council Common Position 2008/944/CFSP; welcomes the fact that some Member States have already implemented this measure;
8. Calls on the Council to impose individual and targeted restrictive measures, notably asset freezes and EU entry bans, against any individual or entity that is responsible for or involved in, or that has assisted, financed or contributed to the planning, directing or commission of, gross human rights violations in the context of the military operation in north-eastern Syria;
9. Calls on the Council to consider, for the purposes of a deterrent to prevent an escalation in northeast Syria, the suspension of the trade preferences under the agreement on agricultural products and, as a last resort, the suspension of the EU-Turkey customs union;
10. Urges the UNSC to swiftly put in place all available instruments in order to protect the civilians affected;
11. Calls on the Turkish authorities and other parties involved in the conflict to abide by international humanitarian law, which requires the relevant actors to take all precautions to avoid civilian casualties, to investigate alleged unlawful strikes, to provide sufficient support to displaced persons, and to ensure that ground troops do not harass, arbitrarily arrest or mistreat residents who choose to remain, as well as to ensure the safety and security of humanitarian relief personnel;
12. Strongly condemns the summary execution of a well-known Kurdish female politician, Hevrin Khalaf, reportedly by fighters of a Turkish-allied group, Ahrar al-Sharqiya; calls for an investigation into her murder and other summary killings, and for those responsible for these crimes to be brought to account;

13. Is extremely concerned about allegations of the use of white phosphorus by the Turkish forces and/or their proxies against civilians, which is prohibited by international law; fully supports the work of the Organisation for the Prohibition of Chemical Weapons (OPCW), which began the investigation into the possible use of white phosphorus; calls for those responsible to be held to account;
14. Urges the Turkish authorities not to target journalists and human rights defenders for taking a critical stance in reporting on the conduct of the military operation, and not to retaliate against such parties in Turkey as democratically elected Kurdish mayors, and politicians and peaceful activists;
15. Urges all parties to the conflict, including Turkey, together with the Syrian Government and Kurdish forces, to provide unhindered access to local and international humanitarian organisations;
16. Calls on the EU Member States to prepare contingency plans on the security threats posed by the possible return of Daesh foreign fighters, and to pursue prosecution in line with international standards for the atrocities committed by such individuals; stresses, furthermore, the humanitarian duty to safely repatriate the children of EU nationals;
17. Welcomes the EU's commitment to ongoing humanitarian aid to Syria's neighbours, notably Turkey, which continue to host millions of refugees; deems it unacceptable that President Erdoğan is weaponising refugees and using them to blackmail the EU; calls on the Member States to show much stronger commitment to responsibility-sharing, so as to enable refugees fleeing the Syrian war zones to find protection beyond the immediate neighbouring region, by means of resettlement, by structuring humanitarian corridors and humanitarian admission schemes, and by introducing simplified family reunification and more flexible visa regulations; calls for the EU and the Member States to provide extra funding to the Kurdistan Regional Government of Iraq to enable it to cope with the influx of refugees from Syria;
18. Recognises the fact that Turkey has legitimate security concerns, but insists that they be addressed by political and diplomatic means, and not military action, in accordance with international law, including humanitarian law;
19. 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 governments and parliaments of the Member States, the Secretary-General of the United Nations, the UN-Arab League Special Envoy to Syria, and the parties involved in the conflict in Syria.