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Situation in Syria

Greens/EFA motion for resolution

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on behalf of the Verts/ALE Group

The European Parliament,

– having regard to its previous resolutions on Syria, in particular those of 16 February 2012 on the situation in Syria(1), of 13 September 2012 on Syria(2), and of 23 May 2013 on the situation of Syrian refugees in neighbouring countries(3),

– having regard to its resolution of 17 January 2013 on the Recommendations of the Non-Proliferation Treaty Review Conference regarding the establishment of a Middle East free of weapons of mass destruction (WMD)(4),

– having regard to the conclusions of the Foreign Affairs Council and of the European Council on Syria since the beginning of the Syrian crisis in early 2011,

– having regard to the remarks by President of the European Council, Herman Van Rompuy, ahead of the G20 summit on 5 September 2013,

– having regard to the statements by EU High Representative Catherine Ashton of 21 and 23 August 2013,

– having regard to the statements by UN Secretary-General Ban Ki-moon since the attack in Ghutah on 21 August 2013,

– having regard to UN Security Council resolutions 2059 of 20 July 2012, 2043 of 21 April 2012, and 2042 of 14 April 2012,

– having regard to United Nations General Assembly resolution 377 of 1950 (‘Uniting for Peace’) and Resolution 67/183 on the situation of human rights in Syria,

– having regard to the UN Human Rights Council resolutions on Syria, including that of 22 March 2013,

– having regard to the UNHCR statement of 3 September 2013,

– having regard to the report of the United Nations Independent International Commission of Inquiry on Syria of 4 June 2013,

– having regard to the Universal Declaration of Human Rights, and to the international human rights and humanitarian law instruments to which Syria is a party,

– having regard to the Final Communiqué of the Action Group for Syria ('the Geneva Communiqué') of 30 June 2012,

– having regard to the Geneva Conventions of 1949 and their additional protocols, the 1925 Geneva Protocol, and the 1993 Chemical Weapons Convention,

– having regard to the Rome Statute of the International Criminal Court,

– having regard to the declassified intelligence reports made public by the French, German, UK and US authorities in early September 2013,

– having regard to Rule 110(2) of its Rules of Procedure,

A. whereas hundreds of Syrian civilians were killed and injured in Ghutah in eastern Damascus on 21 August 2013; whereas a number of governments, including those of the USA, some EU Member States, Turkey and other regional actors, have accused the Syrian regime of using chemical agents against its own population; whereas these accusations have been dismissed by the al-Assad regime and challenged by several of its allies, including Russia and Iran;

B. whereas a team of UN chemical weapons inspectors was able to collect samples and evidence on the ground, but only several days after the alleged chemical attack during which the area was subjected to severe shelling by loyalist troops; whereas the UN investigation team is expected to report back to the UN Security Council shortly; whereas the mandate of the UN investigation team is to determine the use of chemical weapons and not those responsible; whereas UN Secretary-General Ban Ki-moon has repeatedly appealed that any action taken be conducted within the framework of the UN Charter;

C. whereas, on the basis of intelligence reports, the leaders of the USA, UK, France and Turkey – Barak Obama, David Cameron, François Hollande and Tayyip Erdoğan – have accused the Syrian regime of carrying out a massive chemical attack in Ghutah and have stated their determination to carry out limited, punitive strikes to hold the al-Assad regime accountable for its use of chemical weapons, to deter this kind of behaviour and to degrade the regime's capacity to commit further attacks; whereas these leaders have stated their readiness to carry out these strikes outside the UN framework; whereas UK Prime Minister Cameron was defeated in the UK parliament on a motion to authorise military action and has consequently ruled out UK participation in a US-led strike;

D. whereas on 1 September 2013 the Arab League called for the United Nations and the international community at large to exercise their responsibilities under international law and 'to take the necessary measures' against the Syrian Government;

E. whereas the UN Charter provides two exceptions to the prohibition of the use of force: self-defence and authorisation by the UN Security Council; whereas the doctrine of humanitarian intervention has not been recognised under customary international law; whereas the 'responsibility to protect' (R2P) doctrine

clearly obliges the international community to take action to protect a population from the worst forms of crime; whereas forceful action taken within the R2P framework must also be authorised by the UN Security Council;

F. whereas Syria is not a party to the Chemical Weapons Convention, which prohibits the development, production, stockpiling, transfer, and use of chemical weapons; whereas Syria acceded to the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases; whereas in July 2012 Syria admitted to possessing a stockpile of chemical weapons;

G. whereas the Russian Foreign Minister, Sergey Lavrov, proposed on 9 September 2013 to persuade the al-Assad regime to hand over its chemical arsenal to international supervision for destruction and to join the Chemical Weapons Convention; whereas US President Barack Obama has welcomed this proposal as a possible breakthrough;

H. whereas in recent months the dramatic human rights, humanitarian and security situation in Syria has continued to deteriorate, with armed violence increasing in intensity and spreading further throughout the country; whereas Syrian Government troops have continued to use force systematically against densely populated neighbourhoods; whereas the Hezbollah military wing, recognised by the EU as a terrorist organisation, has been helping the Syrian Government since spring 2013; whereas, to a lesser extent, there are also continued reports of violations of human rights and humanitarian law by opposition forces; whereas the increase in jihadist forces among the military opposition is a source of major concern; whereas Syrian Kurds are increasingly being brought into the conflict with attacks by both sides, including most recently between the Kurdish Democratic Union Party (PYD) and Islamist rebel groups in northern Syria; whereas the Kurdish National Council signed an agreement on 28 August 2013 with the Syrian National Coalition which guarantees Kurdish citizens' rights, paving the way for its membership;

I. whereas in September 2013 the Syrian Observatory for Human Rights estimated that 110 000 people had been killed since the start of the conflict; whereas the majority of these victims are non-combatants;

J. whereas the Syrian conflict is affecting the stability of the entire region, spreading violence to neighbouring countries, notably Lebanon, Jordan, Turkey and Iraq; whereas external actors are increasingly involved in supporting one side in the conflict;

K. whereas neighbouring countries are also experiencing a dramatic rise in the number of refugees from Syria, which now stands at over 2 million, with a further 4.25 million internally displaced persons, according to the United Nations High Commissioner for Human Rights (UNHCR); whereas over 97 % of Syria's refugees are hosted by countries in the immediate surrounding region, placing an overwhelming burden on their infrastructures, economies and societies; whereas UNHCR figures from 3 September 2013 report 716 000 Syrian refugees in Lebanon, 515 000 in Jordan, 460 000 in Turkey, 168 000 in Iraq and 110 000 in Egypt; whereas the 525 000 Palestinian refugees in Syria constitute a particularly vulnerable group affected by the conflict; whereas this group has very few options for finding a safe haven outside Syria; whereas their flight to neighbouring countries, notably Jordan, represents a further risk of destabilisation;

L. whereas the EU is the largest donor so far, providing over EUR 515 million in humanitarian assistance for Syria through ECHO and over EUR 493 million from the EU Member States;

1. Condemns the attack which caused hundreds of deaths and thousands of injuries among Syrian civilians in the Ghutah suburb of Damascus on 21 August 2013; points out that this is the latest example of the atrocities committed since 2011 in the ongoing massacre in Syria;

2. Believes that, if confirmed, this recourse to chemical weapons by the al-Assad regime or by any other

belligerent requires a response which is commensurate to the gravity of such an odious crime;

3. Stresses the importance of upholding the worldwide ban on the use of chemical weapons under international law and that such an act which constitutes a grave breach of international law, notably a crime against humanity, must be answered for;

4. Strongly believes that the demonstration of compelling evidence of responsibility for the Ghutah massacre is essential for building a united and effective response by the international community to one of the gravest affronts to mankind in decades;

5. Insists on the importance of enabling the UN weapons inspectors to complete their investigation and to report their findings to the UN Security Council (UNSC); deplores the fact that the UNSC has until now not assumed its responsibilities as the ultimate guarantor of international peace and security; urges Russia and China to act constructively in this regard in order to facilitate the swift adoption of a common position on Syria to ensure necessary measures to protect civilians;

6. Urges the EU and its Member States, notably those which are members of the Security Council, to table and support a UNSC resolution referring the Syrian situation to the International Criminal Court; insists that the European Union and all its Member States should promote accountability for all violations of international humanitarian and human rights law which have been committed by all state and non-state actors involved in the Syrian conflict, including any use of chemical weapons and the killing of prisoners;

7. Stresses that any military intervention – with or without UN authorisation – in Syria is bound to have grave and highly unpredictable consequences and that a worsening of the situation on the ground cannot be excluded, notably in humanitarian terms;

8. Considers that military intervention is not justified if actual protection cannot be achieved, or if the consequences of embarking upon such an intervention are likely to be worse than if there is no action at all; emphasises that a military intervention for limited human protection purposes cannot be justified if it triggers a larger conflict;

9. Is convinced that no form of military response on its own will either effectively deter the future use of chemical weapons or solve the Syrian conflict; believes, conversely, that the absence of a forceful international response to a confirmed use of chemical weapons carries the horrific prospect of unbounded chemical warfare in Syria and beyond; reiterates that only a strategic, global approach articulating humanitarian and political dimensions can put an end to the violence and mass human rights violations and promote a democratic transition in Syria;

10. Calls on all sides to resume diplomatic efforts along the lines of the so-called ‘Geneva II process’ in order to find a solution that would respect the democratic aspirations of the Syrian people, with active steering by the Arab League-UN Special Envoy, Lakhdar Brahimi; stresses that both sides should accept all-inclusive participation with no pre-conditions; emphasises that the EU should take particular care to reach out to Russia and Iran and to promote a region-wide de-escalation process;

11. Stresses that the situation in Syria warrants a swift, united and strong approach by the EU Member States; calls, therefore, on the EU and its Member States to convene an extraordinary Foreign Affairs Council to discuss the situation in Syria and assess any measures the EU could adopt to provide more efficient support for democratic forces in the Syrian opposition, to protect civilians and to facilitate dialogue and a common approach with other international players, such as Russia, Iran or the Arab League;

12. Calls, in this regard, on the Council and on the VP/HR to take the initiative to request a meeting of the UN General Assembly on Syria in order to overcome the current stalemate at the Security Council, and to

make all diplomatic efforts to find a political solution; cautiously welcomes the recent Russian proposal to place Syrian chemical weapons under international control and urges the Syrian regime to respond positively and in earnest to this proposal, which offers a potential breakthrough to the current crisis;

13. Reiterates its strong support for the work of the Independent International Commission of Inquiry on Syria and welcomes its latest report;

14. Urges the EU and its Member States to live up to their humanitarian responsibilities and to increase their assistance to Syrian refugees; calls, in particular, on all Member States to remove any barriers preventing refugees from seeking protection in the EU; expresses concern about reported excessive detention periods for Syrian refugees in the EU; condemns Member States, notably Greece, which return refugees, in violation of international and EU law; asks the Commission to monitor closely the practices of Member States and of Frontex, notably at the EU-Turkish border; calls on Member States to activate Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons; calls on the Commission to urgently propose a voluntary permanent relocation scheme in order to allow for greater shared responsibility and solidarity between Member States; strongly deplores the fact that less than 50 % of the EUR 3.3 billion of funds required by the UNHCR to meet basic refugee needs have been received so far; asks for a better diversification of humanitarian channels in order to strengthen international aid access and field presence in areas outside the control of the regime; regrets the suspension of the Egyptian visa-free regime in favour of Syrian citizens and calls for the respect of refugees' rights by the Egyptian authorities;

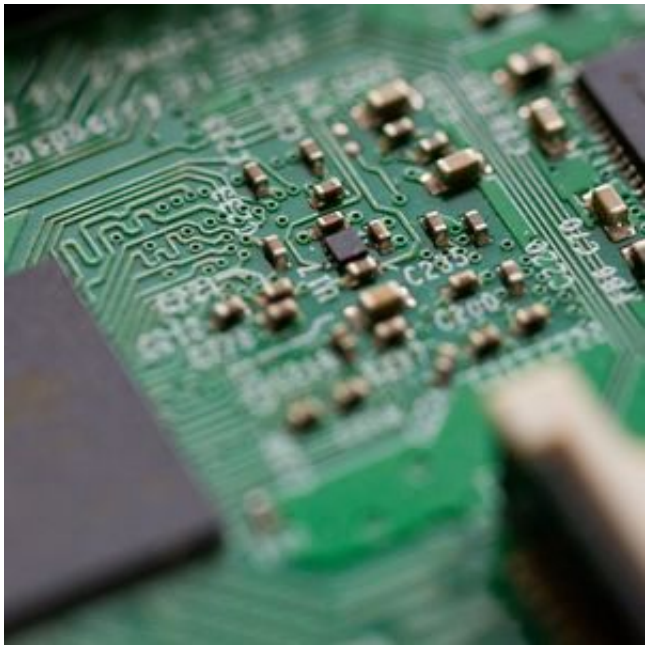
15. Strongly believes that the EU should, in the longer term, take advantage of the global outcry regarding Syria to push for reform of the UNSC in favour of the UN General Assembly (UNGA), and to take bold diplomatic initiatives to advance a non-proliferation agenda, including through the promotion of a Middle East free of weapons of mass destruction, notably by holding the long-postponed international conference on this topic, promoting the ratification and implementation of relevant international instruments, addressing the continued use of white phosphorous and depleted uranium, and stepping up its efforts to reduce chemical stockpiles around the world;

16. 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 governments and parliaments of the People's Republic of China and of the Russian Federation, the President and Congress of the United States, the Secretary-General of the UN, the Secretary-General of the League of Arab States, and the government and parliament of Syria.

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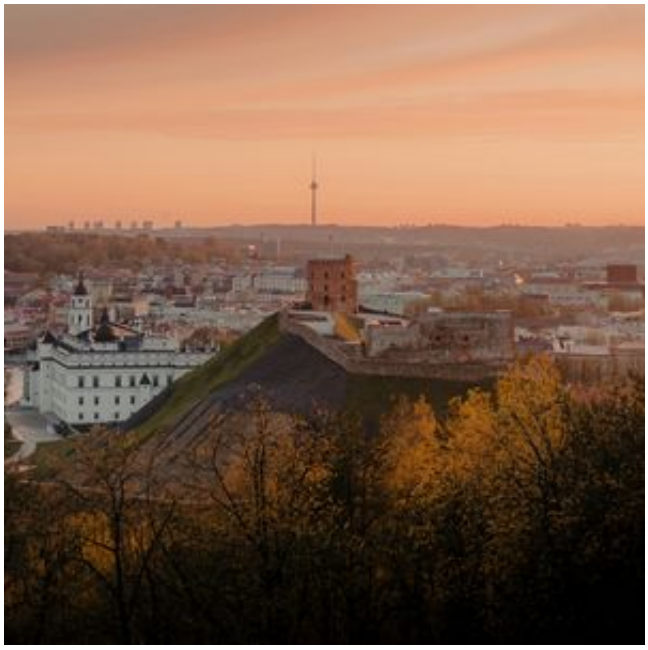
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