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Syria, Yemen, Bahrain in the context of the Arab world

Greens/EFA motion for a resolution

The European Parliament,

–having regard to its previous resolutions, in particular its resolution on the situation on Syria, Bahrain and Yemen of 7 April 2011

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

–having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966, to which Syria and Yemen are parties,

–having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1975, to which Syria and Yemen are parties,

–having regard to the EU Guidelines on Human Rights Defenders of 2004 as updated in 2008 as well as its EU Guidelines on torture and other cruel, inhumane or degrading treatment or punishment, of 2001 and reviewed in 2008,

–having regard to its report on European Union relations with the Gulf Cooperation Council of 24 March 2011,

–having regard to its resolution containing the European Parliament's recommendation to the Council on the conclusion of a Euro-Mediterranean Association Agreement between the European Community and its Member States, of the one part, and the Syrian Arab Republic, of the other part, of 26 October 2006,

–having regard to the statement by European Parliament President Jerzy Buzek on the deadly attack against protesters in Syria of 23 March 2011,

–having regard to the statements of the High Representative/Vice-President of the Commission on restrictive measures against Syria of 9 May and of 9 June 2011 and on the ongoing violence and the necessity for credible reforms in Syria of 6 June 2011,

–having regard to the statements by the Vice President of the Commission/EU High Representative on Yemen of 10 March and 17 March 2011

–having regard to the Joint Communication by the High Representative and the Commission on "A new response to a changing Neighbourhood" of 25th May which complements the Joint Communication on 'A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean' of 8 March 2011,

-having regard to its resolution on the review of the European Neighbourhood Policy - Southern Dimension of 7 April 2011,

-having regard to the decision of 7 June 2011 by the High Representative Catherine Ashton to set up a Task Force for the Southern Mediterranean,

-having regard to the UN Security Council statement of 24 June 2011 ahead of a visit of representatives from the UN High Commissioner for Human Rights expressing "grave concern on the deteriorating security and humanitarian situation in Yemen" and "urged all parties to show maximum restraint and to engage in an inclusive political dialogue."

–having regard to the Council conclusions on Syria and on Yemen of 20 June 2011, and the remarks by High Representative Catherine after the Foreign Affairs Council,

–having regard to the conclusions of the European Council of 23 and 24 June 2011,

–having regard to Rule 110(4) of its Rules of Procedure,

A. whereas the Joint Communication on a new response to a changing Neighbourhood of 25 May 2011 sets out a fresh trend, replacing the basic principles of the Union's external action, namely the universal values of human rights, democracy and the rule of law, at the centre of the Neighbourhood Policy while reflecting the need for the EU to support the revolutions in North Africa and in the Middle East;

B. whereas the change of approach towards European Neighbourhood countries needs however to be followed by a clearer methodology of benchmarking to measure human rights and democracy requirements within ENP Action plans and requires the inclusion of an enforcement mechanism of the legally binding human rights clauses of international agreements;

C. whereas an accurate neighbourhood policy based on a new partnership with societies must automatically ensure that civil society be directly associated to the processes of good governance and take part in the elaboration and evaluation process of the implementation of agreements through the setting up of a civil society monitoring mechanism;

D. Whereas the situation in Tunisia looks as it is moving forward and the preparation of the elections for a Constituent Assembly goes in the right direction, notably with the setting-up of an independent Electoral Commission while as regards Egypt the democratic transition encounters obstacles with some worrying developments such as the predominance of military tribunals on ordinary justice and arbitrary arrests; whereas in spite of the lifting of the state of emergency and planned constitutional reform in Algeria, steps must be taken by the authorities towards a genuine political and inclusive dialogue in order to adopt substantial democratic changes; whereas the constitutional reform in Morocco is to be welcomed as a positive first step to be followed up by deep democratic reforms;

On Syria

E. whereas since the beginning of the crackdown in March 2011, the escalation of violence keeps going on and security forces responded to the continuing protests with mass arrests and unprecedented and increasing brutality, killing, more than 400 civilians in the governorate of Daraa alone, and more than 850

across Syria;

F. whereas human rights organisations have received information indicating that Syrian security forces have committed systematic killings of protesters notably in Daraa who were in the vast majority unarmed and that all persons detained in connection with the demonstrations were systematically subjected to acts of torture and inhumane treatment; whereas more than 800 cases of forced disappearances and 11 000 cases of arbitrary detention have already been documented;

G. whereas after the siege imposed in Daraa, security forces launched a large-scale military operation and campaign of arbitrary arrests in Daraa's neighbouring towns; whereas an estimated 12,000 Syrians from Jisr al-Shughour and surrounding areas have crossed the Syrian-Turkish border fearing reprisals by the security forces and according to the Red Crescent 17.000 more are waiting to cross the border; whereas Turkey has expressed great concern over Syria's deployment of troops and tanks near the border;

H. Whereas the Office of High Commissioner for Human Rights (OHCHR) was unable to deploy staff on the ground in Syria to investigate on alleged violations of international human rights law and to establish the facts and circumstances of such violations, with a view to avoiding impunity and ensuring full accountability as requested by the resolution adopted by the UNHRC of 29 April 2011;

I. Whereas Secretary General Ban Ki-Moon renewed calls for Syria to allow fact-findings and humanitarian missions to investigate disputed events during months of anti-government protests; whereas the Arab League issued a condemnation of Syria's violence on 14 June 2011 and underlined that Arab states are actively monitoring the crisis in Syria;

J. Whereas President Bashar al-Assad said in his third address of 20 June 2011 that a national dialogue would shape Syria' future; whereas despite repeated commitments to political reforms and changes in Syria, the authorities have failed to take any step to fulfil them;

K. Whereas after the announcement by the European Council of 23 June 2011 to extend sanctions for the third time against Syria in order to respond to the escalation of the Syrian authorities' violent crackdown, Syrian Foreign Affairs Minister has declared that Syria will forget that Europe exists on the map while asking for the withdrawal of Syria's membership from the Euro-Mediterranean Partnership;

On Yemen

L. whereas millions of citizens have been demonstrating largely peacefully in Yemen since January with similar demands as those during the uprising in Tunisia and Egypt, and hundreds of people have reportedly since been killed mainly by the security forces using life munitions while hundreds have been wounded; whereas numerous military commanders, ambassadors, ministers and other officials declared their support for the protesters

M. whereas for the first time in history, women have come out in unprecedented numbers during the public uprising in defiance of President Saleh's condemnation of women's participation in the opposition rallies in April, saying that by mixing with men on the street who were not direct relatives, the women were violating traditional Yemeni cultural norms

N. whereas after the 18 March demonstrations President Saleh declared the state of Emergency and the Parliament passed an emergency law on 23 March giving the security forces extensive powers of detention and imposing heavy restriction on public assembly (drop the rest)

O. whereas the Gulf Cooperation Council under Saudi leadership have made so far three attempts to mediate with Yemeni opposition parties under which Saleh would step down and be spared prosecution for

misconduct including bloody crackdowns on protesters

P. whereas each time, Saleh backed out at the last minute, the last time in May triggering two weeks of fighting with the Al-Hashed tribal confederation led by the Ahmar family, culminating in a June 3 attack on Saleh's palace.

Q. whereas the blast killed several people and wounded President Saleh, the prime minister, two deputy prime ministers and the speakers of both parliamentary chambers and whereas President Saleh has left the country to receive medical treatment in Saudi Arabia

R. whereas opposition parties ranging from socialists to Islamists of both the Sunni and Zaydi Shiite sects, and which agreed to the GCC deals, lost credibility with "Arab Spring"-inspired youths who have emerged as a separate constituency, demanding the creation of a transitional presidential council, for Saleh and his family to leave the country and their prosecution for alleged involvement in corruption and in the killings of protesters

S. whereas his sons, in particular Ahmed Ali Saleh, who heads the elite Republican Guard, and some nephews, who are also in key military positions, have played a pivotal role in preserving the elder Saleh's regime in his absence

T. whereas on 24 June 2011, a suicide car bomber in Aden killed three soldiers and a civilian, and wounded a dozen others whereas this attack came after Yemeni security forces opened fire on protesters at a funeral in the city

U. whereas on 23 June, 62 prisoners, including alleged Qaeda members convicted of killing tourists and involved in a plot to attack the United States Embassy in Sana, tunneled out of a prison after a raid by gunmen in a well-executed escape that highlighted the security risks in a nation that is increasingly unstable

V. whereas after a forced unification in the 1990s, northern and southern Yemenis have clashed repeatedly, including in a brief civil war in 1994; whereas there is serious concern for the disintegration of the Yemini states with a fragile truce since February with the Shiite rebels in the North, a secessionist movement in the South and many Qaeda fighters reportedly using Yemen as a retrieval ground

W. whereas Yemen is the poorest country in the Arab world, roughly half its children suffering from malnutrition, water is running out, rising prices of basic commodities have made daily life much more difficult and unemployment hovers around 35 percent, 10 percentage points higher than the regional average, with young people the most likely to be out of work; whereas the situation will only get worse - Yemen is projected to double its population by 2025, just as oil supplies and revenue run out and the instability caused by internally displaced Yemenis and refugees from Somalia increases

X. whereas additionally thousands of internally displaced have streamed into Aden in recent weeks, fleeing the battle between government troops and heavily armed jihadists who in late May captured the city of Zinjibar, the capital of Abyan province in the South

Y. whereas given the long history of backdoor collusion between Al Qaeda and Yemen's security agencies, it is impossible to know whether Mr. Saleh or his surrogates are actively encouraging the jihadists as a scare tactic, or merely tolerating them

Z. whereas five men condemned to death for alleged murder could be executed within the next few days and whereas Yemen is among the countries who still frequently execute the death penalty and hundreds of prisoners remain in death row

On Bahrain

Z. a Whereas on 22 June Bahrain's National Safety Court, a military court, announced its verdict against 21 Bahrain opposition activists, seven of which in absentia; whereas of the 14 present, seven (Hassan Mshaima', 'Abdelwahab Hussain, 'Abdulahdi al-Khawaja, Dr 'Abdel-Jalil al-Singace, Mohammad Habib al-Miqdad, Abdel-Jalil al-Miqdad and Sa'eed Mirza al-Nuri) were sentenced for life, while the others were sentenced between 15 and two years of prison (Mohammad Hassan Jawwad, Mohammad 'Ali Ridha Isma'il, Abdullah al-Mahroos, 'Abdul-Hadi 'Abdullah Hassan al-Mukhodher, Ebrahim Sharif, Salah 'Abdullah Hubail al-Khawaja, Al-Hur Yousef al-Somaikh); whereas many - possibly all - of the defendants may be prisoners of conscience, solely held on the basis of peacefully exercising their rights to freedom of expression and assembly;

Z. b Whereas on 22 May the same court upheld the death penalty against 'Ali 'Abdullah Hassan al-Sankis and 'Adbulaziz 'Abdulridha Ibrahim Hussain who might be at imminent risk of execution; whereas they were convicted with three other men of killing two policemen during anti-government demonstrations in March who received life in prison sentences;

Z. c Whereas the trials before military judges without adequate legal defence - the prisoners being held incommunicado without access to their families and alleged exposed to torture - by no means meet international standards of a fair trial;

On Syria

1. Expresses its solidarity and its firm support to the struggle of the Syrian people for freedom, democratic changes and the end of the authoritarian regime;

2. Strongly condemns the escalating use of brutal repression against peaceful protesters, including the humanitarian effects of the siege imposed on a number of cities such as Daraa and Jisr al-Shughour and expresses its deepest concern at the gravity of the human rights violations perpetrated by Syrian authorities, including mass arrests, extrajudicial killings, arbitrary detention, disappearances and torture;

3. Considers that these widespread and systematic violations of Syria's obligations under the international human rights law may amount to crimes against humanity; in this context strongly support all efforts undertaken by the OHCHR to investigate all alleged human rights violations perpetrated by Syrian security forces in order to hold those responsible for the violence to account and calls on Syrian authorities to provide full cooperation and unhindered access to the office of the High Commissioner and to other UN mechanisms;

4. Calls on the HR/VP and on the EU Member States to continue working with its international partners for a condemnation by the UN Security Council of the ongoing repression in Syria and for the enforcement by Syrian authorities of its responsibility to protect Syrian population; considers that the UNSC should refer Syria to the International Criminal Court (ICC) with the aim to bring justice to Syrian population and avoiding more victims; calls in this context on the Council to step up its diplomatic pressure on Russia, China as well as on Brazil, South Africa and India;

5. Calls on the UN Secretary General to immediately appoint a special envoy on Syria and demands that he be allowed unimpeded access throughout the country with the mandate to report back to the UN Security Council and to ask the UNSC to take appropriate measures;

6. Urges the Syrian authorities to immediately halt all forms of repression against protesters and calls for the immediate release of all detained demonstrators, journalists, human rights defenders and political

prisoners who remain in detention despite the recent amnesty announced by President Al-Assad; calls on the Syrian authorities to allow immediate and unhindered access to independent and international media;

7. Deplores that Syrian authorities have failed to respond to the calls to immediately stop the violence, to fulfil their commitments and to engage in meaningful reforms; calls for the resignation of Syrian President Bashar al-Assad and considers that this act would pave the way and facilitate the transition process which should be based on a credible and inclusive dialogue involving all democratic forces and civil society actors with the view of launching deep democratic reforms, including the lifting of the Emergency Law, the end of the monopoly of the Bath party over the Syrian society and the organisation of free and fair elections;

8. Calls in this regard on the HR/VP, the Council and the Commission to support opposition forces, including those voicing out the expectations and requests of the protesters such as the National Coalition to support the Syrian revolution; takes the view that no association agreement can't be concluded with the Syrian regime;

9. Considers that the ongoing brutal repression in Syria constitutes a real threat to both internal and regional stability and that this situation is affecting neighbouring countries;

10. Notes with grave concern reports of army activities at the borders and of the thousands of people displaced from Syria to Turkey and Lebanon due to the violence ; urges the Syrian authorities to allow immediate and unconditional access by humanitarian agencies to all affected areas;

11. Welcomes the Turkish's policy to maintain open borders for Syrian refugees, as well as the support and reception activities that have been rapidly organized with the mobilization of the Red Crescent's resources in the region of Hatay; stresses the necessity from the Turkish part, with the assistance of the UNHCR and the Red Crescent, to provide people fleeing from Syria with basic services without discrimination based on ethnic origin, religion or similar grounds;

12. Calls on Turkish authorities to take all the necessary measures in close cooperation with the UNHCR to resettle people fleeing from Syria so as not to maintain them in closed camps; takes the view that Turkey should not be left alone in dealing with such an emergency and all efforts should be put in place in order to share this burden; calls on the Council and the Commission to unblock without delay negotiations on the Joint EU Resettlement programme and to finalise the co-decision procedure in order to effectively implement the resettlement of refugees within the EU;

13. Calls on the Council and the Commission to immediately provide aid and support to the Turkish and Lebanese authorities in their efforts to manage the humanitarian crisis at their borders with Syria, including by exploring the possibility to set up a humanitarian corridor at UN level;

14. Notes the mediation role played by Turkish authorities vis-à-vis Syrian leadership to stop the escalation of violence and to engage in a political dialogue leading to credible reforms; calls in this context on the Council, the Commission and Turkey to jointly cooperate to find a diplomatic and peaceful solution to the Syrian crackdown;

15. Supports the set of smart sanctions adopted by the Council and calls on the Council to take a strong diplomatic initiative in order for other countries to adopt the same sanctions; takes the view that the Council should continue extending targeted sanctions to all persons and entities linked to the regime with the view to weaken and isolate them paving the way for a democratic transition;

On Yemen

16. Expresses its solidarity with the people of Yemen, welcomes their aspirations for democratic change in the country and supports the efforts of the Gulf Cooperation Council in as much as they are directed at finding a negotiated solution in the framework of a more inclusive political system geared towards poverty alleviation and improved living conditions for the majority of the population;

17. Calls on President Saleh and those of his family members holding on to power positions to resign and to pave the way for democratic elections;

19. Condemns the recent armed attacks, in particular the one of 3 June on the Presidential compound and urges all parties to cease hostilities, respect international human rights standards and abide by a permanent ceasefire, throughout the country;

20. Welcomes Vice President Abd Rabbuh Mansur Hadi's commitment to respect the ceasefire process and to demilitarize Yemen's cities;

21. Believes that violence cannot resolve the issues that confront Yemen; applauds the largely peaceful nature of the protests, reiterates its call on the security forces to refrain from using disproportionate force and urges the authorities to inquire into the deaths and injuries of demonstrators and political prisoners, to bring those who committed the crimes to justice and to compensate the victims and their families;

22. Welcomes the unified position and statement of the Security Council and the fact finding mission of the Office of the High Commissioner for Human Rights actually on the ground;

23. Expresses its grave concern over the expanded US drone program in Yemen including extrajudicial killings of suspected terrorists, as well as plans of the U.S. Central Command to provide Yemeni forces with \$1.2 billion in training and equipment over the next six years, considering that Yemen represents already one of the most heavily armed societies in the world;

24. Stresses that Yemen has been a country in crisis long before the "Arab spring" revolts started; expresses its grave concern over the level of poverty and unemployment and believes that only a regional and international initiative of massive and coordinated aid could achieve increased government control over criminal and terroristic elements and bring the much needed economic and social development, including enhanced rights for women;

25. Calls on the EU and the Gulf Cooperation Council to make a particular effort of financial and technical support as soon as President Saleh is ready to give way to an democratically established government and insists that the delivery on the ground of the pledges from the donor conference 2006 have to be sped up; welcomes in this context the recent Saudi oil deliveries to Yemen and urges to consider debt cancelation or rescheduling of foreign debt after substantial democratic reforms;

26. Urges the authorities not to execute Yasser Ismail, Bshir Ismail, Arif Far'i, Mubarak Ghalib and Murad Ghalib and reminds the authorities that they are bound by international standards of fair trial in capital cases, including the right to seek pardon or commutation of the sentence;

27. Calls on the acting president, Abd Rabbu Mansour al-Hadi, to establish a moratorium on executions with a view to completely abolishing the death penalty;

28. Calls on the EU to urgently review its migration policy with the MENA countries and within the EU in order to get prepared for a much greater influx of migrants from these countries as part of an EU contribution towards economic development in that region;

On Bahrain

29. Expresses its grave concern over the harsh sentences against Bahrainis who have been arrested in the context of the pro-democracy demonstrations under unfair procedures in front of military tribunals

30. Calls for the immediate release of all those who are solely held on the basis of having exercised their right to free expression and urges the Bahraini authorities to set up an independent investigation into the allegations of torture

31. Expresses its opposition to the death penalty and calls on the Bahraini authorities to commute the death sentences against Al-Sankis and Hussain

32. Instructs its President to forward this resolution to the Vice-president of the Commission and High Representative of the Union for foreign affairs and security policy, the governments and parliaments of the Member States, the Member Countries of the Maghreb and Mashrek delegation and of the Gulf Cooperation Council, and the UN Human Rights Council;

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