



TEXTS ADOPTED

P9_TA(2019)0049

The Turkish military operation in northeast Syria and its consequences

European Parliament resolution of 24 October 2019 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 of 17 October 2019,
- having regard to the conclusions of the Foreign Affairs Council on Syria of 14 October 2019,
- having regard to the relevant statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), and in particular her declaration of 9 October 2019 on recent developments in northeast Syria and her remarks upon arrival at and at the press conference following the Foreign Affairs Council meeting of 14 October 2019,
- having regard to its previous resolutions on Syria and to its resolution of 14 March 2019 on a European human rights violations sanctions regime¹,
- having regard to the joint statement by the Chairs of the Foreign Affairs Committees of Germany, France, the United Kingdom, the European Parliament and the House of Representatives of the United States of America of 18 October 2019,
- having regard to the joint Turkish-US statement on northeast Syria of 17 October 2019,
- having regard to the statements by the Spokesperson for the UN High Commissioner for Human Rights on Syria, Rupert Colville, of 11 and 15 October 2019,
- having regard to the statement by the NATO Secretary General of 14 October 2019,
- having regard to the communiqué of the Arab League of 12 October 2019 on Turkey's military operation in northeast Syria,
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 14 March 2017 on elements for an EU strategy for Syria (JOIN(2017)0011) and to the Council

¹ Texts adopted, P8_TA(2019)0215.

conclusions of 3 April 2017 on an EU strategy for Syria,

- having regard to the Charter of the United Nations and to all the UN conventions to which Turkey and Syria are States Parties,
 - having regard to the relevant UN Security Council (UNSC) resolutions, in particular 2254 (2015) of 18 December 2015, and the Geneva Communiqué of 2012,
 - 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 to the precedent set by the establishment of international tribunals such as the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda and the Special Tribunal for Lebanon,
 - having regard to the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by Iran, Russia and Turkey on 6 May 2017,
 - having regard to the Geneva Conventions of 1949 and the additional protocols thereto,
 - having regard to the NATO Treaty of 1949,
 - having regard to the Chemical Weapons Convention of 1993,
 - having regard to the Council conclusions on the EU regional strategy for Syria and Iraq as well as the ISIL/Daesh threat adopted on 16 March 2015,
 - having regard to its resolution of 13 March 2019 on the 2018 Commission Report on Turkey¹, in which it recommended that the Commission and the Council, in accordance with the Negotiating Framework, formally suspend all accession negotiations with Turkey,
 - having regard to Rule 132(2) and (4) of its Rules of Procedure,
- A. whereas following the decision by US President Donald Trump to withdraw US troops from the northeast of Syria, on 9 October 2019 Turkey launched a military invasion (Operation Peace Spring), in breach of international law, into areas of Syria controlled by the Syrian Democratic Forces (SDF); whereas this has resulted in a grave number of civilian and military casualties on both sides of the border and, according to UN sources, the displacement of at least 300 000 citizens, including 70 000 children; whereas the UNSC has not yet taken any action on the crisis, despite the unity of the EU;
- B. whereas on 18 October 2019 the US and Turkey announced an immediate five-day ceasefire in the border region of Syria; whereas this agreement is temporary as Turkey has not agreed to withdraw its forces from north-eastern Syria; whereas the state of implementation of the ceasefire remains unclear; whereas a meeting between Presidents

¹ Texts adopted, P8_TA(2019)0200.

Erdoğan and Putin took place on 22 October 2019;

- C. 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 equipment¹;
- D. whereas the Council has put in place a series of restrictive measures in view of the situation in Syria targeting individuals responsible for the repression of the civilian population in Syria and individuals and entities associated with them; whereas the US has imposed sanctions on Turkish ministries and senior government officials in response to the country's military offensive in northern Syria;
- E. whereas this unilateral Turkish military operation has no legal basis and is only aggravating the eight-year-long conflict in Syria; whereas the consequences of the operation are seriously harming the efforts made by the Global Coalition against Daesh, in which SDF forces currently still play a vital role by combating the ISIS fighters still active;
- F. 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 UNSC resolution 2254 and the 2012 Geneva Communiqué, which was negotiated by the Syrian parties within the UN-led Geneva process; 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, which may now be prevented from meeting as a result of Turkey's unilateral military action;
- G. whereas there are specific reports of killings, intimidation, ill-treatment, kidnapping, looting and seizure of civilians' houses by Turkish-backed armed groups, with civilians accused of affiliation with specific Kurdish groups reportedly being forcibly removed from their homes or seized at checkpoints by members of these groups; whereas according to the UN there are reports of summary executions carried out by fighters belonging to the Ahrar al-Sharqiya armed group, which is allied with Turkey; whereas a well-known Kurdish female politician, Hevrin Khalaf, was reportedly tortured and executed by Ahrar al-Sharqiya fighters;
- H. whereas following the withdrawal of US troops, on 14 October 2019 Bashar al-Assad's troops entered a number of cities in north-eastern Syria for the first time in seven years after the Kurdish forces agreed to a Russian-brokered deal to try to hold off a Turkish attack; whereas the exact details of the agreement between Damascus and the Kurds remain unclear; whereas according to as yet unverified reports, Russian troops are patrolling the front lines between the Turkish and Syrian army positions to keep them apart;
- I. 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

¹ OJ L 335, 13.12.2008, p. 99.

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;

- J. whereas the violations committed during the Syrian conflict, by the Assad regime and its allies, ISIS/Daesh and other terrorist groups, included attacks using chemical weapons, attacks on civilians, extrajudicial killings, torture and ill-treatment, enforced disappearances, mass and arbitrary arrests, collective punishment, attacks against medical personnel and the denial of food, water and medical aid; whereas these crimes amount to war crimes, crimes against humanity and genocide and have so far gone unpunished;
- K. whereas hundreds of alleged Daesh members, some of them EU citizens, together with their families, are reported to have escaped from SDF custody amid the Turkish offensive; whereas they must be prevented from returning to battle and spreading terror, as a key priority for the security of the region and the EU; whereas the SDF claims to hold around 10 000 Islamic State fighters; whereas the vast majority of the thousands of European children born of Islamic State fighters are currently located in three different camps in northeast Syria, Al Hol Camp, Roj Camp and Ein Issa Camp, which are severely affected by the Turkish offensive;
- L. 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 forced displacement of people, including with the aim of demographic change, constitutes a clear breach of international humanitarian law, amounts to a crime against humanity, and may lead to demographic and ethnic changes; whereas safe zones in the context of military conflicts often become 'war zones' for civilians;
- M. 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;
- N. whereas since the start of the military intervention the Turkish authorities have mounted a severe crackdown on anyone criticising the military operation by using Turkish anti-terrorism laws; whereas the Turkish authorities have launched investigations into more than 500 social media accounts, accusing them of spreading 'terrorist propaganda'; whereas according to Turkey's Minister of the Interior, 121 people have already been detained for their posts on social media questioning the operation; whereas more than 150 members of the Peoples' Democratic Party (HDP) have been arrested since the start of the operation;
- O. whereas most international aid organisations have been forced to suspend operations and evacuate international staff over security fears; whereas creating obstacles to the safe, unimpeded and sustained delivery of humanitarian assistance, evacuations and medical care also constitutes a breach of international humanitarian law and of several UNSC resolutions; whereas the UN and its partners are continuing to deliver humanitarian supplies to tens of thousands of people displaced by the violence;

- P. whereas it is the responsibility of the international community and individual states to hold to account those responsible for violations of international human rights and humanitarian law committed during the Syrian conflict, including through the application of the principle of universal jurisdiction and national law; whereas this can be done either before existing national and international courts and tribunals or before ad hoc international criminal tribunals yet to be established;
- Q. 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;
- R. 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;
1. Strongly condemns the unilateral Turkish military intervention in northeast Syria, which constitutes a grave violation of international law, is undermining the stability and security of the region as a whole, bringing further suffering to people already affected by war, causing the mass displacement of civilians, and could contribute to the re-emergence of Daesh, which remains a security threat to Syria, Turkey, the broader region, the EU and globally, and is obstructing access to humanitarian assistance;
 2. Urges Turkey to put an immediate and definitive end to its military operation in northeast Syria and withdraw all of its forces from Syrian territory; stresses that the military operation will not address the country's underlying security concerns; demands full respect for humanitarian law, including the protection of civilians, and for local and international humanitarian organisations to be permitted unhindered access;
 3. Expresses its solidarity with Kurdish people and all other inhabitants of the region; underlines the important contribution made by the Syrian Democratic Forces (SDF), and women in particular, as an ally in the fight against Daesh and in 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. Calls on the VP/HR to take the EU's position to the Turkish authorities and to lay the foundation for a strong and comprehensive EU response to this crisis; urges her to initiate a dialogue with the Turkish authorities aimed at providing for the rapid de-escalation of the situation and finding a sustainable solution to the crisis; underlines that the EU should consider all available options in working with its international partners, within the framework of the UN;
 5. Takes note of the US-Turkish agreement of 17 October 2019 on a temporary ceasefire; expresses its concern, however, that its provisions legitimise the Turkish occupation of

the 'safe zone' in northeast Syria; expresses deep concerns, furthermore, that the deal requires not only the displacement of local population groups such as 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;

6. 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 UNSC resolution 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;
7. 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 all the relevant actors from northeast Syria to be fully involved 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; calls on the Member States to ask the UNSC once again to adopt a resolution which will allow the Council to act in a targeted manner, ultimately aiming at a UN-led security zone in northern Syria for the benefit of the people living there;
8. Reiterates the gravity of the consequences that further escalation and destabilisation in the region present, both for the region itself and for the EU, with increasing security risks, humanitarian crises and migration flows; calls on the Commission to prepare the EU in all its aspects to best react to any situation that might arise and to inform the European Parliament of any consequences of further escalation and destabilisation in the region;
9. Regrets the fact that the Foreign Affairs Council of 14 October 2019 was unable to agree on an EU-wide arms embargo on Turkey; welcomes, nonetheless, the decision by various EU Member States to halt arms exports licencing to Turkey, but urges them to ensure that the suspension also applies to transfers that have already been licensed and to undelivered transfers; reiterates, in particular, the need for the strict application by all Member States of the rules laid down in Council Common Position 2008/944/CFSP on arms exports, including the firm application of criterion four on regional stability; strongly calls on the VP/HR, for as long as the Turkish military operation and presence in Syria continues, to launch an initiative aimed at imposing a comprehensive EU-wide arms embargo on Turkey, including dual-use technology goods, in view of the serious allegations of breaches of international humanitarian law;
10. Calls on the Council to introduce a series of targeted sanctions and visa bans to be imposed on Turkish officials responsible for human rights abuses during the current military intervention alongside a similar proposal for the Turkish officials responsible for the internal crackdown on fundamental rights; urges all Member States to ensure full

compliance with Council Decision 2013/255/CFSP¹ on restrictive measures against Syria, and in particular the freezing of assets of individuals listed therein and restrictions on the admission of persons benefiting from or supporting the regime in Syria;

11. 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; stresses that ethnic and religious groups in Syria have the right to continue to live in or return to their historical and traditional homelands in dignity and safety;
12. Calls on the Council to consider adopting appropriate and targeted economic measures against Turkey, which must not affect civil society or people who have already been badly hit by the country's economic crisis, the situation of Syrian refugees, or Turkish students' continued participation in European exchange programmes such as Erasmus+; calls on the Council to consider, for the purposes of a deterrent to prevent a further escalation in north-eastern 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;
13. Points out that Parliament has been proactive in reducing Instrument for Pre-accession Assistance (IPA) II funding over recent years over concerns about lack of respect for human rights; concludes that the recent steps taken by the Turkish authorities are in breach of European values; calls on the Commission to ensure that no EU funds are used to finance the ongoing military operation or to facilitate any forced returns of Syrian refugees to the so-called 'safe zone';
14. 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;
15. Calls on Turkey to ensure accountability for atrocities committed by its proxy militias, including the murder of Hevrin Khalaf and other summary killings; urges the EU and its Member States to support the process of documenting all violations in northeast Syria and to insist that they be investigated in a thorough and impartial manner, and that the perpetrators be prosecuted;
16. Is extremely concerned about reports that hundreds of ISIS prisoners, including many foreign fighters, are escaping from camps in northern Syria amid the Turkish offensive, which increases the risk of a resurgence of ISIS; calls on the EU Member States to prepare contingency plans on the security threats posed by the possible return of ISIS foreign fighters, and to pursue prosecution in line with international standards for the

¹ Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria (OJ L 147, 1.6.2013, p. 14).

atrocities committed by such individuals; calls on national intelligence agencies and security services to increase vigilance as regards the possible return of foreign fighters and their families;

17. Is concerned about the dramatic situation and fate of European children born of Islamic State fighters in northern Syria; calls on the Member States to give special attention to the situation and needs of these children so as to ensure that their basic rights are respected; calls on Member States to take the best interests of the child as the primary consideration in all decisions concerning children;
18. Reaffirms its support for the efforts of the Global Coalition against Daesh, of which Turkey is a partner; underlines that the coalition and Syrian partner forces have made significant progress in the campaign to defeat Daesh in Syria, but expresses its concern that Turkey's unilateral military action undermines this progress;
19. Welcomes the EU's commitment to ongoing humanitarian aid to Syria's neighbours, notably Jordan, Lebanon, Turkey, Iraq and Egypt, which continue to host millions of refugees; deems it unacceptable that the Turkish President Recep Tayyip 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 through resettlement; underlines the need to fully respect the principle of non-refoulement; 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;
20. 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;
21. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the United Nations, Turkey, the members of the International Syria Support Group and all the parties involved in the conflict, ensuring translation of this text into Arabic and Turkish.