Parliamentary Assembly
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Resolution 2298 (2019)[1]

Situation in Syria: prospects for a political solution?

Parliamentary Assembly

1. Eight years after it started, the war in Syria has led to one of the worst humanitarian crises the world has faced since the Second World War. It continues to have devastating consequences for the Syrian people and has so far claimed over 400 000 lives and driven some 11.7 million to flee their homes, including over 5.6 million to seek refuge in neighbouring countries and beyond.

2. The conflict is not only having a destabilising impact on the Middle East and the Arab world, but also on the European continent, notably through the exacerbation of political and sectarian differences within Syria; the involvement of international forces pushing their own interests and adding to the complexity of the conflict; the growth of Daesh and other violent terrorist groups, which also led to the foreign fighters phenomenon and the challenges arising when they return to their countries of origin.

3. Since the political process has now reached a critical stage, the Parliamentary Assembly urges the international community to unite and engage in serious efforts to reach a common agreement without further delay, and to support unreservedly the efforts of the newly appointed United Nations Special Envoy for Syria, Mr Geir O. Pedersen, with a view to setting up a constitutional committee, as a necessary mechanism for political transition towards peace and stability, based on the Action Group for Syria Final Communiqué of 30 June 2012 and United Nations Security Council Resolution 2254 (2015).

4. The Assembly is extremely alarmed about the situation of the 13 million Syrians in need of humanitarian assistance, of which one third live in areas that cannot be accessed from inside Syria, including 2 million internally displaced persons in the so-called Idlib de-escalation zone.

5. While welcoming the progress made in taking back areas of Syria from Daesh and other terrorist groups, the Assembly urges all parties involved in military operations against them to:

5.1. take all necessary precautions to avoid harm to the thousands of civilians who are trapped in the middle of air strikes and ground fighting, in accordance with their obligations under international humanitarian law;

5.2. maintain de-escalation in the agreed demilitarised zone and protect civilians.

6. The Assembly welcomes the progress made in the negotiations by the former United Nations Special Envoy for Syria and the international community, including within the Astana process, and urges all parties to the conflict to:

6.1. reinforce the ceasefire in all areas of the country, allow humanitarian convoys to proceed, and facilitate safe, rapid, unhindered and sustained humanitarian assistance;

6.2. mobilise funds for immediate, life-saving needs in support of the Syrian people, particularly children, including to ensure respect for their rights to life, adequate food, shelter and medical care;

1. *Assembly debate* on 28 June 2019 (27th Sitting) (see Doc. 14889, report of the Committee on Political Affairs and Democracy, rapporteur: Ms Theodora Bakoyannis). *Text adopted by the Assembly* on 28 June 2019 (27th Sitting).

6.3. continue to take steps, consistent with international law, to prevent and suppress the flow of foreign terrorist fighters joining Daesh and other terrorist groups, as determined by the United Nations Security Council decision, and in line with Parliamentary Assembly Resolution 2091 (2016) and Recommendation 2084 (2016) on foreign fighters in Syria and Iraq;

6.4. create conditions for the safe, voluntary and dignified return of refugees and displaced persons, in compliance with internationally accepted human rights and humanitarian law norms and standards, relating to housing, land and property rights.

7. The Assembly also urges Council of Europe member States to repatriate captured foreign fighters, and their families, who fought with Daesh in Syria, and to bring them to trial.

8. The Assembly fully supports the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic in line with United Nations Security Council Resolutions and the Sochi final statement of 30 January 2018.

9. Furthermore, the Assembly urges all parties to adhere to the peace road map, in line with the Syrian-led political process, under the auspices of the United Nations Special Envoy for Syria, and seize the current opportunity to find lasting peace, by:

9.1. making progress on the establishment of a legitimate, credible, diverse and balanced constitutional committee to draft a constitutional reform, as a contribution to the political settlement and the establishment of a democratic post-war Syria, in line with the Sochi final statement;

9.2. ensuring that the constitutional committee allows for the inclusive participation of the political opposition and of civil society, including delegates representing Syrian experts, non-governmental organisations, tribal leaders and a minimum of 30% of women, as proposed by the United Nations and supported by members of the Syrian Women's Advisory Board and in accordance with United Nations Security Council Resolution 1325 (2000) on women, peace and security.

10. The Assembly considers that the Council of Europe could contribute to the efforts of the United Nations, bearing in mind its expertise in institutional matters and the objectives set by the United Nations Security Council Resolution 2254 (2015). The constitutional committee could avail itself of the experience and expertise of the European Commission for Democracy through Law (Venice Commission) in the future constitutional reform process.

11. Accountability for serious violations of international humanitarian law and human rights violations, particularly the persecution of religious and ethnic communities, as well as for war crimes and crimes against humanity, is central to achieving sustainable peace in Syria and facilitating a national reconciliation process and transitional justice. Therefore, the Assembly:

11.1. calls on all parties to the conflict, in particular the Syrian Government, Council of Europe member and observer States and States whose parliaments enjoy observer or partner for democracy status with the Parliamentary Assembly, civil society and the whole international community to co-operate fully with 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, set up by the United Nations General Assembly, in particular by providing relevant information and documentation;

11.2. calls for the situation in Syria, including the crimes against humanity or even possible genocide committed by Daesh, to be referred to the International Criminal Court (ICC) by the United Nations Security Council, based on article 13.*b* of the Rome Statute of the ICC.

12. Deeply concerned about the latest allegation of a chemical attack in Aleppo on 24 November 2018, the Assembly:

12.1. condemns in the strongest possible terms the use of chemical weapons by anyone, under any circumstances, stressing that any use of chemical weapons is unacceptable and contravenes international norms and principles, including the 1997 Chemical Weapons Convention, ratified by 192 States, including Syria;

12.2. deems it imperative to ensure that those responsible for the use of chemical weapons are identified and held accountable, and fully supports the work of the Organisation for the Prohibition of Chemical Weapons (OPCW).

13. Furthermore, the Assembly stresses that the Syrian refugee crisis is the responsibility not only of neighbouring States and of Europe, but of the whole international community. It expresses its deep appreciation for the significant efforts that have been made by the neighbouring countries – Lebanon, Jordan, Turkey and Iraq – to accommodate Syrian refugees, and, in line with Resolution 2224 (2018) on the humanitarian situation of refugees in the countries neighbouring Syria, reiterates its call on Council of Europe member States to:

13.1. step up financial contributions to the United Nations Regional Refugee and Resilience Plan, to satisfy funding requirements to support national efforts in Turkey, Lebanon, Jordan and Iraq;

13.2. achieve more effective sharing of responsibility through the implementation of resettlement programmes and other forms of legal admission of refugees from the region to their countries;

13.3. use all available diplomatic means to encourage fairer responsibility sharing with non-European Union countries.

14. Finally, the Assembly fully shares the goal of the United Nations to end the suffering of the Syrian people and find a sustainable and peaceful solution to the conflict through an inclusive and Syrian-led political process that leads to the establishment of a multi-ethnic society that includes all religious and ethnic groups in Syria and meets the legitimate aspirations of the Syrian people.