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*Plenary sitting*

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**B8-0181/2019**

11.3.2019

## **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 123(2) of the Rules of Procedure

on a European human rights violations sanctions regime  
(2019/2580(RSP))

**Elena Valenciano, Victor Boștinăru, Knut Fleckenstein, Soraya Post,  
Ana Gomes, Pier Antonio Panzeri**  
on behalf of the S&D Group

**European Parliament resolution on a European human rights violations sanctions regime  
(2019/2580(RSP))**

*The European Parliament,*

- having regard to its previous resolutions under Rule 135 calling for the imposition of targeted sanctions against individuals involved in grave human rights violations, including those of 19 January 2017 on the situation in Burundi<sup>1</sup>, of 25 October 2018 on the killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul<sup>2</sup>, and of 14 February 2019 on the situation in Chechnya and the case of Oyub Titiev<sup>3</sup>,
- having regard to its resolution of 13 September 2017 on corruption and human rights in third countries<sup>4</sup>,
- having regard to its resolution of 12 December 2018 on the annual report on human rights and democracy in the world 2017 and the European Union’s policy on the matter<sup>5</sup>,
- having regard to the study entitled ‘Targeted sanctions against individuals on grounds of grave human rights violations – impact, trends and prospects at EU level’ published by its Directorate-General for External Policies on 26 April 2018<sup>6</sup>,
- having regard to Council Decision (CFSP) 2018/900 of 25 June 2018 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma<sup>7</sup>,
- having regard to its recommendation to the Council of 2 February 2012 on a consistent policy towards regimes against which the EU applies restrictive measures, when their leaders exercise their personal and commercial interests within EU borders<sup>8</sup>,
- having regard to its resolution of 4 September 2008 on the evaluation of EU sanctions as part of the EU’s actions and policies in the area of human rights<sup>9</sup>,
- having regard to the resolutions of the Parliamentary Assembly of the Council of Europe of 27 January 2014 on Refusing impunity for the killers of Sergei Magnitsky, and of 22 January 2019 on Sergei Magnitsky and beyond – fighting impunity by

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<sup>1</sup> OJ C 242, 10.7.2018, p. 10.

<sup>2</sup> Texts adopted, P8\_TA(2018)0434.

<sup>3</sup> Texts adopted, P8\_TA(2019)0115.

<sup>4</sup> OJ C 337, 20.9.2018, p. 82.

<sup>5</sup> Texts adopted, P8\_TA(2018)0515.

<sup>6</sup> Study – ‘Targeted sanctions against individuals on grounds of grave human rights violations – impact, trends and prospects at EU level’, European Parliament, Directorate-General for External Policies, Policy Department for External Relations, 26 April 2018.

<sup>7</sup> OJ L 160I, 25.6.2018, p. 9.

<sup>8</sup> OJ C 239 E, 20.8.2013, p. 11.

<sup>9</sup> OJ C 295 E, 4.12.2009, p. 49.

targeted sanctions,

- having regard to the Treaty on the Functioning of the European Union (TFEU),
  - having regard to the European Convention on Human Rights and the protocols thereto,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas Article 21 of the Treaty on European Union (TEU) stipulates that the actions of the Union shall be guided by democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law;
- B. whereas the EU is committed to the systematic implementation of sanctions decided on by the UN Security Council under Chapter VII of the UN Charter, and at the same time imposes autonomous sanctions in the absence of a UN Security Council mandate in cases where the UN Security Council is not empowered to take action or is prevented from doing so by a lack of agreement among its members;
- C. whereas EU sanctions have become an integral part of the EU's external relations toolbox; whereas sanctions have over the past two decades become an integral part of the EU's external relations toolbox, with over 40 different restrictive measures currently in place against 34 countries; whereas an estimated two thirds of EU country-specific sanctions have been imposed in support of human rights and democracy objectives;
- D. whereas the existing EU sanctions target both state actors and non-state actors, such as the Islamic State and al-Qaeda;
- E. whereas the EU has been criticised for applying its sanctions policy inconsistently in third countries with similar records of human rights violations;
- F. whereas the European Parliament has repeatedly called for the establishment of an EU global human rights sanctions regime;
- G. whereas the Dutch Government initiated a discussion among EU Member States in November 2018 on the political opportunity of a targeted human rights sanctions regime at EU level; whereas preliminary discussions are continuing at the level of a Council working group;
- H. whereas the use of targeted sanctions is reportedly preferable and more effective than the use of general sanctions, as it avoids the negative consequences and humanitarian costs to a wider population, directly affecting the persons responsible and serving as a deterrent;
1. Strongly condemns all breaches of human rights across the globe; calls for the establishment of a flexible and responsive EU global human rights sanctions regime that would target all individuals in a given hierarchy responsible for serious human rights violations worldwide;
  2. Considers that the regime should enable individuals from both state and non-state actors

to be targeted;

3. Highlights that this mechanism will strengthen the EU's foreign policy and reinforce its existing human rights tool box in addressing and preventing human rights violations; reiterates its call on the Council to pursue its work on this matter without delay;
4. Calls for such a regime to be comprehensive, and for it to act coherently with and to complement existing human rights policies and other restrictive measures;
5. Stresses the need for all EU Member States to interpret the application of sanctions in the same consistent manner; considers that any failure to take appropriate measures in situations marked by persistent human rights violations would undermine the EU's human rights strategy, sanctions policy and credibility; is convinced that a unified EU global human rights sanctions regime will mitigate the current disparities within the EU's sanctions policy, enhance transparency and strengthen the EU's role as a global human rights actor;
6. Highlights that serious human rights violations should constitute an underlying basis for the application of individual targeted sanctions; calls on the Council and the Commission to identify and clearly outline serious human rights violations when defining the scope of the regime, including cross-border violations and those relating to voluntary and irreversible large-scale environmental damage; highlights the human rights treaties required for GSP+ status, the Rome Statute of the International Criminal Court and the core Geneva conventions in this regard;
7. Stresses that targeted sanctions should include visa bans and asset freezes in relation to the perpetrators of serious human rights violations, as well as in relation to any involved instigator, inciter, aider and/or abetter, and their immediate family members, where necessary;
8. Underscores that the criteria allowing blacklisting for the imposition of targeted sanctions should be legally sound, clear and transparent and based on well-documented and convincing evidence, established facts and verified information from transparent, reputable, independent sources; further underscores that the rights to due process, judicial review and redress of all those targeted should be protected to the highest degree; calls for the systematic inclusion of clear and specific benchmarks and a methodology for the lifting of sanctions and de-listing;
9. Stresses that targeted sanctions must aim at achieving effective and lasting results; calls on the Commission to carry out regular impact assessments and reviews once the regime is in place, as well as to monitor listings and de-listings closely; insists that Parliament exercise close scrutiny in this regard;
10. Calls on the Commission to dedicate adequate resources and expertise to enforcing and monitoring this regime once it is in place, as well as to devote particular attention to public communication about the listings, both in the EU and in the countries concerned;
11. Supports the efforts of civil society activists to establish such a regime and encourages discussion on the proposal for the setting up of a possible independent EU-level advisory committee;

12. Notes that several member States of the Council of Europe, including Estonia, Latvia, Lithuania, the United Kingdom, Canada and the United States have adopted instruments to enable their governments to impose targeted sanctions where serious human rights violations have occurred;
13. Calls for consideration to be given to the extension of the mandate of the EU Ombudsman to include the EU global human rights sanctions regime;
14. Stresses the need for multilateral cooperation and coordinated action together with the UN to prevent sanctions being evaded and to maximise the implementation of the regime in line with international law;
15. 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 and the Secretary General of the Council of Europe.