

DRAFT - 12 March 2012

Human Rights Council
Nineteenth session
Agenda item 4

"Human Rights Situation in the Syrian Arab Republic"

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights, and that all States are bound to promote and protect human rights and fundamental freedoms,

Recalling General Assembly resolutions 66/176 of 19 December 2011 and 66/253 of 16 February 2012, as well as Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 22 August 2011, S-18/1 of 2 December 2011 and A/HRC19/L.1/Rev.1 of 1 March 2012,

Deploring the Government of Syria's refusal to implement the above mentioned resolutions, and its lack of cooperation with the commission of inquiry, including the continued denial of access to the country,

Deploring also the escalation of violence that has led to a grave and ongoing human rights crisis and increased human suffering, and the fact that the government has manifestly failed in its responsibility to protect its populations,

Appalled at the ongoing and systematic brutal human rights violations by the Syrian authorities against its people,

Recalling the High Commissioner Pillay's statements at the UN Security Council that crimes against humanity are likely to have been committed in Syria and noting her encouragement to the Security Council to refer the situation to the International Criminal Court,

Welcoming all efforts, decisions and measures by the League of Arab States to address all aspects of the situation in the Syrian Arab Republic, and the steps undertaken by the League to ensure the implementation of its Plan of Action, including the decisions of 2 November 2012, 22 January 2012, 12 February 2012 and 10 March 2012,

Also welcoming the nomination of a Joint Special Envoy of the United Nations and the League of Arab States on the Syrian crisis,

Also welcoming the holding of the first meeting of the Group of Friends of the Syrian People of 24 February 2012 in Tunis, and the outcome as reflected in the Chair's conclusions,

1. Welcomes both reports of the commission of inquiry established pursuant to Human Rights Council resolution S-17/1 and the recommendations made therein, and expresses profound concern about the commission's findings that government forces have committed widespread, systematic and gross human rights violations that may amount to crimes against humanity with the apparent knowledge and consent of the highest levels of the State,

2. Condemns in the strongest terms

- (a) The sharply escalating widespread, systematic and gross violations of human rights and fundamental freedoms perpetrated by the Syrian authorities, such as arbitrary executions, excessive use of force and the killing and persecution of protesters, refugees, human rights defenders and journalists, including recent deaths of Syrian and foreign journalists, arbitrary detention, enforced disappearances, torture and ill-treatment, including of adolescents and children;
 - (b) The attacks against civilians in cities and villages across the country, including the artillery bombardment of Homs, the levels of excessive and indiscriminate force used consistently by units of the Syrian armed forces and diverse security forces, the coordinated nature of these attacks and that there is credible and consistent evidence that these actions have been conducted on the orders of the authorities, including high-ranking military officers;
 - (c) The extensive violations of children's rights committed by the Syrian authorities, including the killing of children during demonstrations and the widespread practice of arbitrary detention, torture and ill-treatment;
 - (d) The sexual violence against civilians by the Syrian armed and security forces, including against male detainees and children;
 - (e) The deliberate destruction of hospitals and clinics and the obstruction and denial of medical assistance to the injured and sick, and the raids and killings of wounded protesters in both public and private hospitals;
3. Strongly urges the government of Syria to immediately put an end to all violence and all human rights violations,
 4. Demands that the Syrian authorities meet their responsibilities to protect their population,
 5. Expresses its grave concern over the prevailing systemic impunity for human rights violations and its entrenchment in legislation awarding immunity for State Government officials,
 6. Stresses that the widespread use of violence against Syrian civilians is subject to international criminal law and requires that perpetrators are brought to justice,
 7. Acknowledges and is deeply troubled by the commission of inquiry's finding that there is a reliable body of evidence that provides reasonable grounds to believe that particular individuals, including commanding officers and officials at the highest levels of Government, bear responsibility for crimes against humanity and other gross human rights violations,
 8. Stresses the need to conduct an international, transparent, independent and prompt investigation into violations of international law with a view to hold to account those responsible for widespread, systematic and gross human rights violations, including those violations that may amount to crimes against humanity,
 9. Expresses deep concern at the humanitarian situation and urges the Syrian authorities to ensure timely, safe and unhindered access for all humanitarian actors and to ensure the safe passage of humanitarian and medical supplies into the country,
 10. Demands that Syria respect the popular will, aspirations and demands of its people,
 11. Demands that Syria immediately put an end to all attacks against journalists, fully respect the freedom of expression in line with international obligations, allow independent and international

media to operate in Syria without restrictions, harassment, intimidation or risk to life, and ensure adequate protection for journalists,

12. Also demands that the Syrian authorities take immediate steps to ensure the safety of foreign nationals in the Syrian Arab Republic, including refugees and diplomatic staff, as well as the protection of their property,
13. Demands that Syria without delay lift the blockade of Homs, Deraa, Zabadani and all other cities under siege,
14. Commends and supports the efforts and measures of the League of Arab States and calls upon the Syrian authorities to implement the League's Plan of Action in its entirety, as well as its decisions, without further delay,
15. Demands that the Syrian government, in accordance with the Plan of Action of the League of Arab States of 2 November 2011 and its decisions of 22 January and 12 February 2012, without delay:
 - (a) cease all violence and protect its population;
 - (b) release all persons detained arbitrarily due to the recent incidents;
 - (c) withdraw all Syrian military and armed forces from cities and towns, and return them to their original home barracks;
 - (d) guarantee the freedom of peaceful demonstrations;
 - (e) allow full and unhindered access and movement for all relevant League of Arab States' institutions and Arab and international media in all parts of Syria to determine the truth about the situation on the ground and monitor the incidents taking place,
16. Repeats its call upon the Syrian authorities to cooperate with the special procedures of the Human Rights Council, and with the OHCHR, including through the establishment of a field presence with a mandate to protect and promote human rights,
17. Decides to extend the mandate of the commission of inquiry established by the Human Rights Council in its resolution S-17/1, and requests the commission to continue its work, and additionally requests the commission to conduct an ongoing mapping exercise of grave violations of human rights committed by the Syrian authorities since March 2011, including an assessment of casualties figures, and to provide an updated report to the Council at an interactive dialogue with the participation of the High Commissioner at its twentieth and twenty-first sessions,
18. Invites the Office of the High Commissioner for Human Rights to facilitate the safe and secure storage of information and evidence gathered by the commission of inquiry, about violations and abuses of international human rights law in Syria since March 2011,
19. Calls on Syria to fully cooperate with the commission of inquiry, including by granting unhindered access to the country,
20. Invites the Secretary-General to take the necessary measures to support the efforts of the League of Arab States, if requested, to contribute to a peaceful solution to the situation in the Syrian Arab Republic consistent with the Charter of the United Nations and the League's decisions,
21. Recommends that the main bodies of the United Nations urgently consider the update report of the commission of inquiry and take appropriate action,

22. Decides to transmit the updated reports of the commission of inquiry to all relevant UN bodies and the Secretary-General for appropriate action, and requests the Secretary-General to present a report on the implementation of the present resolution to the Human Rights Council at its twentieth and twenty-first sessions,

23. Also decides to remain seized of the matter and to consider further appropriate steps to be taken.

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