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Report of the Human Rights Council on its nineteenth special session

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Contents

<i>Chapter</i>	<i>Paragraphs</i>	<i>Page</i>
I. Resolution adopted by the Human Rights Council at its nineteenth special session.....		3
II. Organization of work of the nineteenth special session	1–27	5
A. Opening and duration of the session	6–7	5
B. Attendance	8	5
C. Officers	9	6
D. Organization of work	10–12	6
E. Resolution and documentation.....	13–14	6
F. Statements.....	15–20	6
G. Action on the draft proposal	21–27	7
III. Report of the Human Rights Council on its nineteenth special session	28	8
Annex		
List of documents issued for the nineteenth special session of the Human Rights Council.....		9

I. Resolution adopted by the Human Rights Council at its nineteenth special session

S-19/1.

The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in El-Houleh

The Human Rights Council,

Recalling General Assembly resolutions 66/176 of 19 December 2011 and 66/253 of 16 February 2012, 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, 19/1 of 1 March 2012 and 19/22 of 23 March 2012, and Security Council resolutions 2042 (2012) of 14 April 2012 and 2043 (2012) of 21 April 2012,

Condemning the killings, confirmed by United Nations observers, of dozens of men, women and children and the wounding of hundreds more in the village of El-Houleh, near Homs, in attacks that involved the wanton killing of civilians by shooting at close range and by severe physical abuse by pro-regime elements and a series of Government artillery and tank shellings of a residential neighbourhood, and reiterating that all violence in all its forms by all parties must cease,

Recalling that, in a statement made on 27 May 2012, the United Nations High Commissioner for Human Rights stated that the atrocities in El-Houleh may amount to crimes against humanity, and noting her repeated encouragement to the Security Council to refer the situation in the Syrian Arab Republic to the International Criminal Court,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter of the United Nations,

1. *Condemns in the strongest possible terms* such an outrageous use of force against the civilian population, which constitutes a violation of applicable international law and of the commitment of the Government of the Syrian Arab Republic, under Security Council resolutions 2042 (2012) and 2043 (2012), to cease violence in all its forms, including the cessation of the use of heavy weapons in population centres;

2. *Condemns in the harshest terms* the outrageous killing of forty-nine children, all under the age of 10;

3. *Deplores* the fact that the recent killings in El-Houleh occurred in a context of continued human rights violations in the Syrian Arab Republic, including ongoing arbitrary detentions, hindered access for the media and restrictions of the right to peaceful assembly;

4. *Emphasizes* the continued failure of the Syrian authorities to protect and promote the rights of all Syrians, including through repeated and systematic violations of human rights;

5. *Reiterates* its urgent call upon the Syrian authorities to put an immediate end to all violence and all human rights violations, and to meet their responsibility to protect their populations;

6. *Calls once again upon* the Syrian authorities to immediately allow United Nations human rights mechanisms and missions full and unfettered access and freedom of movement within the Syrian Arab Republic;

7. *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;

8. *Requests* the commission of inquiry to urgently conduct a comprehensive, independent and unfettered special inquiry, consistent with international standards, into the events in El-Houleh and, if possible, to publicly identify those who appear responsible for these atrocities, and to preserve the evidence of crimes for possible future criminal prosecutions or a future justice process, with a view to hold to account those responsible, and also requests the commission to provide a full report of the findings of its special inquiry to the Human Rights Council at its twentieth session, and to coordinate, as appropriate, with relevant United Nations mechanisms;

9. *Calls upon* the Syrian authorities to cooperate fully with the commission of inquiry and to accord it full and unfettered access to the Syrian Arab Republic to conduct its work;

10. *Calls upon* all States Members of the United Nations to assist the commission of inquiry in its mission by providing the support necessary for it to achieve its objectives, including, but not limited to, Member States calling upon the Syrian authorities to grant the commission the access required to conduct its work;

11. *Calls upon* the Syrian authorities to grant immediate, unimpeded and full access of humanitarian organizations to all areas of the Syrian Arab Republic in order to allow them to provide relief and humanitarian assistance, and calls on all sides to respect the safety of humanitarian workers;

12. *Requests* the cooperation, as appropriate, of other relevant United Nations bodies with the commission of inquiry to carry out its mission, and requests the assistance of the United Nations High Commissioner for Human Rights and the Secretary-General in this regard;

13. *Calls for* the urgent, comprehensive and immediate implementation of all elements of the six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States, Kofi Annan, as annexed to Security Council resolution 2042 (2012) without any preconditions;

14. *Invites* the Joint Special Envoy for the United Nations and the League of Arab States to provide a briefing to the Human Rights Council at its twentieth session;

15. *Decides* to remain seized of the matter.

II. Organization of work of the nineteenth special session

1. Pursuant to paragraph 10 of General Assembly resolution 60/251, and in accordance with rule 6 of the rules of procedure of the Human Rights Council as contained in the annex to Council resolution 5/1, the Council shall hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council.
2. On 30 May 2012, the Permanent Representatives of Denmark, Kuwait, Qatar, Saudi Arabia and Turkey, the Ambassador of the European Union to the United Nations Office at Geneva and the Ambassador of the United States of America to the Human Rights Council requested the convening of a special session of the Human Rights Council on 1 June 2012 on the deteriorating situation of human rights in the Syrian Arab Republic and the recent killings in El-Houleh.
3. The above-mentioned request was supported by 21 States Members of the Human Rights Council: Austria, Belgium, Chile, the Czech Republic, Guatemala, Hungary, Italy, Kuwait, Maldives, Mexico, Norway, Peru, Poland, Qatar, the Republic of Moldova, Romania, Saudi Arabia, Spain, Switzerland, the United States of America and Uruguay. The request was also supported by 31 observer States of the Council: Australia, Bahrain, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Honduras, Ireland, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Portugal, the Republic of Korea, Slovakia, Slovenia, Sweden, Tunisia, Turkey, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland.
4. In addition, the request was also signed by the following Member and observer States: Brazil, Costa Rica, Djibouti, Honduras, Jordan, Morocco and Oman.
5. As more than one third of the membership of the Human Rights Council supported the above-mentioned request, the President of the Council, following consultations with the main sponsors, decided to convene open-ended informative consultations on 31 May 2012 and a special session of the Council on 1 June 2012.

A. Opening and duration of the session

6. The Human Rights Council held its nineteenth special session at the United Nations Office at Geneva on 1 June 2012. It held two meetings during the session.
7. The nineteenth special session was opened by the President of the Human Rights Council, Laura Dupuy Lasserre.

B. Attendance

8. The special session was attended by representatives of States Members of the Human Rights Council, observer States of the Council, observers for non-Member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

C. Officers

9. At its first organizational meeting of the sixth cycle, on 20 June 2011, the Human Rights Council elected the following officers, who also served as officers for the nineteenth special session:

President: Laura Dupuy Lasserre (Uruguay)

Vice-Presidents: Christian Strohal (Austria)
Anatole Fabien Nkou (Cameroon)
András Dékány (Hungary)

Vice-President and Rapporteur: Gulnara Iskakova (Kyrgyzstan)

D. Organization of work

10. Pursuant to paragraph 124 of the annex to Human Rights Council resolution 5/1, an open-ended informative consultation was held on 31 May 2012 in preparation for the nineteenth special session.

11. At its 1st meeting, held on 1 June 2012, the Human Rights Council considered the organization of its work, including speaking time limits, which would be three minutes for statements by States Members of the Council and two minutes for statements by observer States of the Council, observers for non-Member States of the Council and other observers. The list of speakers would be drawn up in chronological order of registration. States Members of the Council would be given the floor first, followed by observer States and observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, and observers of national human rights institutions and non-governmental organizations.

12. The special session was conducted in accordance with the relevant provisions contained in Human Rights Council resolution 5/1.

E. Resolution and documentation

13. The resolution adopted by the Human Rights Council at its nineteenth special session is reproduced in chapter I of the present report.

14. The list of documents issued for the nineteenth special session is contained in the annex to the present report.

F. Statements

15. At the 1st meeting, on 1 June 2012, the Officer-in-charge of the Office of the United Nations High Commissioner for Human Rights made a statement on behalf of the High Commissioner.

16. At the same meeting, the Human Rights Council listened to a pre-recorded statement read by the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, on behalf of all special procedures mandate holders, at the request of the Coordination Committee of Special Procedures.

17. Also at the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

18. At the same meeting, on the same day, statements were made by the following States Members of the Human Rights Council: Angola, Chile, China, Denmark (on behalf of the European Union), Hungary, Indonesia, Italy, Kuwait, Peru, Qatar, Saudi Arabia, Spain, Sweden (on behalf of the Nordic countries), Switzerland, Thailand, the United States of America, Uruguay and Venezuela (Bolivarian Republic of) (on behalf of the Bolivarian Alliance for the Peoples of Our America: Cuba, Bolivia (Plurinational State of), Nicaragua, Ecuador and Venezuela (Bolivarian Republic of)).

19. At the 2nd meeting, on the same day, statements were made by the following States Members of the Human Rights Council: Austria, Belgium, Botswana, Costa Rica, Cuba, the Czech Republic, Ecuador, Guatemala, Jordan, Libya, Malaysia, Maldives, Mexico, Nigeria, Poland, Romania and the Russian Federation.

20. At the same meeting, statements were made by the following:

(a) Observer States of the Human Rights Council: Algeria, Australia, Bahrain, Brazil, Bulgaria, Canada, Democratic People's Republic of Korea, Egypt, El Salvador, France, Germany, Holy See, Honduras, Iran (Islamic Republic of), Ireland, Japan, Lithuania, Morocco, New Zealand, Paraguay, Portugal, Republic of Korea, Slovakia, Slovenia, South Africa, Timor-Leste, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam;

(b) Observers for the following non-governmental organizations: Amnesty International, CIVICUS - World Alliance for Citizen Participation, Human Rights Watch, Groupe des ONG pour la Convention relative aux droits de l'enfant, Indian Movement "Tupaj Amaru", International Commission of Jurists, International Federation for Human Rights Leagues, North-South XXI - Nord-Sud XXI, Press Emblem Campaign, Rencontre africaine pour la défense des droits de l'homme, Reporters Without Borders International, United Nations Watch, Union of Arab Jurists and General Arab Women Federation (joint statement).

G. Action on the draft proposal

21. At the 2nd meeting, on 1 June 2012, the representative of Qatar introduced draft resolution A/HRC/S-19/L.1, sponsored by Djibouti, Kuwait, Qatar, Saudi Arabia, Turkey and the United States of America. Subsequently, Albania, Andorra, Australia, Austria, Bahrain, Belgium, Botswana, Bulgaria, Canada, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Monaco, Montenegro, Morocco, the Netherlands, New Zealand, Norway, Palestine, Paraguay, Panama, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, the United Kingdom of Great Britain and Northern Ireland joined the sponsors.

22. At the same meeting, the representatives of China, Cuba and the Russian Federation made general comments.

23. Also at the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

24. At the same meeting, in accordance with rule 153 of the rules of procedure of the General Assembly, the secretariat made a statement on the administrative and programme budget implications.

25. Also at the same meeting, the representatives of Ecuador and India made statements in explanation of vote before the vote.

26. At the same meeting, at the request of the representative of the Russian Federation, a recorded vote was taken on the draft resolution as orally revised. The draft resolution as orally revised was adopted by 41 votes in favour, 3 against, with 2 abstentions. The voting was as follows:

In favour:

Angola, Austria, Bangladesh, Belgium, Benin, Botswana, Burkina Faso, Cameroon, Chile, Congo, Costa Rica, Czech Republic, Djibouti, Guatemala, Hungary, India, Indonesia, Italy, Jordan, Kuwait, Kyrgyzstan, Libya, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Nigeria, Norway, Peru, Poland, Qatar, Republic of Moldova, Romania, Saudi Arabia, Senegal, Spain, Switzerland, Thailand, United States of America, Uruguay

Against:

China, Cuba, Russian Federation

Abstaining:

Ecuador, Uganda

For the text of the resolution as adopted, see chapter I.

27. Also at the same meeting, the representative of Angola made a statement in explanation of vote after the vote.

III. Report of the Human Rights Council on its nineteenth special session

28. At the 2nd meeting, held on 1 June 2012, the report was adopted ad referendum and the Rapporteur was entrusted with its finalization.

Annex

List of documents issued for the nineteenth special session of the Human Rights Council

In the general series

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|--------------|---|
| A/HRC/S-19/1 | Letter dated 30 May 2012 from the Permanent Representatives of Denmark, Kuwait, Qatar, Saudi Arabia and Turkey, the Ambassador of the European Union to the United Nations Office at Geneva and the Ambassador of the United States of America to the Human Rights Council addressed to the President of the Human Rights Council |
| A/HRC/S-19/2 | Report of the Human Rights Council on its nineteenth special session |

In the limited series

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| A/HRC/S-19/L.1 | The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in El-Houleh |
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In the non-governmental series

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| A/HRC/S-19/NGO/1 | Written statement submitted by Arab NGO Network for Development |
| A/HRC/S-19/NGO/2 | Written statement submitted by Amnesty International |
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