



General Assembly

Distr.: Limited
23 September 2014

Original: English

Human Rights Council

Twenty-seventh session

Agenda item 4

Human rights situations that require the Council's attention

Australia,* Austria, Belgium,* Botswana, Bulgaria,* Canada, Croatia,* Czech Republic, Denmark,* Estonia, Finland,* France, Georgia,* Germany, Greece,* Hungary,* Iceland,* Israel,* Italy, Japan, Jordan,* Kuwait, Latvia,* Lithuania, Luxembourg,* Maldives, Monaco,* Montenegro, Morocco, New Zealand,* Netherlands,* Poland,* Portugal,* Qatar,* Saint Kitts and Nevis,* Saudi Arabia, Slovakia,* Slovenia,* Spain,* the former Yugoslav Republic of Macedonia, Turkey,* United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution

27/... The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all previous Human Rights Council resolutions on the Syrian Arab Republic,

Reaffirming also its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Condemning the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that may foment sectarian tensions,

Welcoming Security Council resolutions 2139 (2014) of 22 February 2014 and 2165 (2014) of 14 July 2014, expressing grave concern at their lack of implementation, and noting their demand for rapid, safe and unhindered humanitarian access,

Welcoming also the appointment of Staffan de Mistura as Special Representative of the United Nations for Syria and diplomatic efforts aimed at finding a political solution,

Reaffirming its commitment to Security Council resolution 2170 (2014) of 15 August 2014,

* Non-member State of the Human Rights Council.



Recalling the statements made by the United Nations High Commissioner for Human Rights and by the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, and noting the repeated encouragement by the High Commissioner to the Security Council to refer the situation to the International Criminal Court,

Expressing its deepest concern about the findings of the independent international commission of inquiry and also the allegations contained in the evidence presented by “Caesar” in January 2014 regarding the torture and execution of persons incarcerated by the current Syrian regime, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

Strongly condemning the lack of cooperation by the Syrian authorities with the commission of inquiry,

1. *Welcomes* the reports of the independent international commission of inquiry on the Syrian Arab Republic, and notes the importance of the work of the commission of inquiry and the information it has collected in support of future accountability efforts, in particular, information on alleged perpetrators violating international law;

2. *Demands* that the Syrian authorities cooperate fully with the commission of inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Strongly condemns* all violations and abuses of international human rights law and all violations of international humanitarian law committed against the civilian population, in particular all indiscriminate attacks, including those involving the use of barrel bombs against civilian populated areas and civilian infrastructure, and demands that all parties immediately demilitarize medical facilities and schools and comply with their obligations under international law;

4. *Expresses its deep concern* at reports from the commission of inquiry and the Office of the United Nations High Commissioner for Human Rights on the suffering and torture in detention centres throughout the Syrian Arab Republic;

5. *Calls for* the appropriate international monitoring bodies to be granted access to detainees in government prisons and detention centres, including the military facilities referenced in the reports of the commission of inquiry;

6. *Expresses grave concern* over the commission of inquiry’s reports on prisoners in government facilities being held in dire conditions, denied medical assistance and food, and subjected to torture, and over the restrictions placed on food and medical supplies reaching Aleppo Central Prison and other detention facilities by a number of groups, including Jabhat al Nusra;

7. *Strongly condemns* the reports of widespread use of sexual violence in government detention centres, including those run by the intelligence agencies, and notes that such acts may constitute violations of international humanitarian law and international human rights law;

8. *Reaffirms* the Syrian authorities’ responsibility for enforced disappearances, and takes note of the commission of inquiry’s assessment that the Syrian authorities’ use of enforced disappearances amounts to a crime against humanity, and also condemns the targeted disappearances of young men following government-brokered ceasefires;

9. *Demands* that the Syrian authorities meet their responsibilities to protect the Syrian population;

10. *Strongly condemns* practices including abduction, hostage-taking, incommunicado detention, torture and killings carried out by non-State armed groups, most notably the so-called Islamic State in Iraq and the Levant, and underlines that such acts may amount to crimes against humanity;

11. *Expresses grave concern* at allegations of torture in detention facilities controlled by non-State armed groups, and stresses that such acts constitute violations of international humanitarian law and abuses of human rights;

12. *Expresses particular concern* about the abduction, incommunicado detention and torture of human rights defenders by the Syrian authorities and armed opposition groups, and calls for their immediate and unconditional release;

13. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign combatants fighting on behalf of the regime, particularly militia groups from the region, and expresses deep concern that their involvement, and that of other militias like the *Shabbiha*, further exacerbates the deteriorating human rights and humanitarian situation, which has a serious negative impact on the region;

14. *Also strongly condemns* the arbitrary arrest, detention, ill-treatment and torture of children by government forces for their or their relatives' alleged support to opposition groups;

15. *Demands* that the Syrian authorities, the so-called Islamic State in Iraq and the Levant and all other groups halt the arbitrary detention of civilians, both Syrian and non-Syrian nationals, and release all civilians detained;

16. *Also demands* that the Syrian authorities end incommunicado detention and ensure that detention conditions are consistent with international law, and calls upon the Syrian authorities to publish a list of all detention facilities;

17. *Condemns* all violations and abuses committed against journalists and media activists, human rights defenders, humanitarian aid providers, and recognizes their role in documenting protests and human rights violations and abuses in the Syrian Arab Republic;

18. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab Republic, which is prohibited under international law, and notes with grave concern the commission of inquiry's finding that the Syrian authorities have repeatedly used chlorine gas as an illegal weapon, which constitutes a violation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and is prohibited under international law;

19. *Notes* the reporting of the commission of inquiry, including on the amount and type of crimes committed, in which it assesses that crimes against humanity and war crimes have been and continue to be committed in the territory of the Syrian Arab Republic;

20. *Also notes* that the International Criminal Court was established to help to end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

21. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

22. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;
 23. *Also reaffirms* its commitment to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens are equal, regardless of gender, religion and ethnicity;
 24. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence, and welcomes the efforts by neighbouring countries to host Syrian refugees while acknowledging the socioeconomic consequences of the presence of large-scale refugee populations in those countries;
 25. *Strongly condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, and in particular the Syrian authorities' denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, stressing that the starvation of civilians as a method of combat is prohibited under international law;
 26. *Urges* the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;
 27. *Calls upon* all members of the international community to respond expeditiously to the Syrian humanitarian appeal and to fulfil previous pledges;
 28. *Urges* those countries with influence over the Syrian parties to take all measures to encourage the parties to the conflict to negotiate constructively and on the basis of the call made in the Geneva communiqué for the formation of a transitional governing body;
 29. *Decides* to transmit all reports and oral updates of the commission of inquiry to all relevant bodies of the United Nations, including the General Assembly, and the Secretary-General for appropriate action;
 30. *Decides* to remain seized of the matter.
-