



# General Assembly

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## Human Rights Council

Thirtieth session

Agenda item 4

### Human rights situations that require the Council's attention

**Albania, Australia,\* Austria,\* Belgium,\* Canada,\* Denmark,\* Estonia, Finland,\* France, Germany, Greece,\* Guatemala,\* Israel,\* Italy,\* Japan, Jordan,\* Kuwait,\* Latvia, Luxembourg,\* Maldives, Malta,\* Monaco,\* Montenegro, Morocco, New Zealand,\* Poland,\* Qatar, Saudi Arabia, Slovakia,\* Slovenia,\* Sweden,\* the former Yugoslav Republic of Macedonia, Turkey,\* United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution**

### **30/... The grave and deteriorating 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,

*Demanding* that the Syrian authorities meet their responsibility to protect the Syrian population,

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

*Expressing its deepest concern* about the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic, and the allegations of torture and executions based on the evidence presented by the "Caesar" report in January 2014,

*Noting* the observation of the Commission of Inquiry that, since March 2011, the Syrian authorities have conducted widespread attacks against the civilian population as a matter of policy,

*Deploring* the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

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\* Non-member State of the Human Rights Council.



*Expressing its deep regret* that, despite international efforts, a political solution to the Syrian crisis has not yet been found,

*Expressing full support* for the diplomatic efforts of the Special Envoy of the Secretary-General for Syria,

*Stressing* that rapid progress on a political solution should include full participation by all segments of Syrian society, including women, and represents the only sustainable way to resolve the situation in the Syrian Arab Republic peacefully,

*Acknowledging* the ongoing efforts by human rights defenders active in the Syrian Arab Republic to document abuses and violations of human rights and violations of international humanitarian law, despite grave risks,

1. *Welcomes* the work 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, the information on those who have allegedly violated international law;

2. *Demands* that the Syrian authorities cooperate fully with the Human Rights Council and the Commission of Inquiry by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Strongly condemns* the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian authorities, in particular Hizbullah, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

4. *Also strongly condemns* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh), al-Nusra Front and other extremist groups, and their continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilization;

5. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by the so-called Islamic State in Iraq and the Levant (Daesh), in particular the enslavement and sexual abuse of women and girls, and the forced recruitment and abduction of children;

6. *Condemns* all violations and abuses of international human rights law and all violations of international humanitarian law, including against women and children, as well as persons with disabilities, and urges all parties to the conflict not to commit indiscriminate attacks, including those that affect civilian populations and objects, to demilitarize medical facilities and schools, to comply with their obligations under international humanitarian law and to respect human rights;

7. *Strongly condemns* the widespread use of sexual violence and torture in detention centres, including those referenced in the reports of the Commission of Inquiry, noting that such acts constitute violations of international human rights law or violations of international humanitarian law, recognizes the permanent damage from torture to victims and their families, and calls for the appropriate international monitoring bodies to be granted immediate access to all detainees and for the Syrian authorities to publish a list of all detention facilities;

8. *Also strongly condemns* all arbitrary detention of individuals by the Syrian authorities and other parties to the conflict, and demands the immediate release of all persons arbitrarily detained, including women, children, human rights defenders, humanitarian aid providers, medical personnel and journalists;

9. *Further strongly condemns* the continued use of chemical weapons in the Syrian Arab Republic, including chlorine gas, which is prohibited under international law, and demands that the Syrian Arab Republic respect fully its international obligations, including the requirement that it declare its programme in full and eliminate it in its entirety;

10. *Welcomes* the unanimous adoption of Security Council resolution 2235 (2015) of 7 August 2015, in which the Council established a joint investigative mechanism of the Organization for the Prohibition of Chemical Weapons and the United Nations to identify those involved in certain uses of toxic chemicals as weapons in the Syrian Arab Republic, and emphasizes the need to hold those responsible to account;

11. *Condemns* the Syrian authorities' use of heavy weapons, cluster munitions and aerial bombardments, including any indiscriminate use of ballistic missiles and barrel bombs, and attacks on medical facilities, and also condemns the starvation of civilians as a method of combat against the Syrian population;

12. *Condemns in the strongest terms* the increasing number of massacres and other mass casualty incidents, including any which may constitute a war crime, taking place in the Syrian Arab Republic, in particular the outrageous attack in Douma by the Syrian regime, which struck a busy market place on 16 August 2015, when at least 111 civilians were killed, including women and children, and requests the Commission of Inquiry to continue to investigate all such acts;

13. *Stresses the need* to promote accountability for those responsible for the unlawful killings of civilians, including any during the attack in Douma, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and international human rights law;

14. *Strongly condemns* violence against all persons based on their religious or ethnic affiliation, and calls upon all parties to fully respect international law;

15. *Demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect the Syrian population lies with the Syrian authorities;

16. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, as well as the organized looting and trafficking of its cultural property, as outlined by the Security Council in its resolution 2199 (2015) of 12 February 2015;

17. *Condemns* the reported forced displacements of the population in the Syrian Arab Republic and the alarming impact on the demography of the country, and calls upon all parties concerned to cease immediately all activities related to these actions, including any activities that may amount to crimes against humanity;

18. *Calls upon* the international community to support the leadership and full participation of women in all efforts aimed at finding a political solution to the Syrian Arab Republic, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000 and 2122 (2013) of 18 October 2013;

19. *Recalls* 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;

20. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of international 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;

21. *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;

22. *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;

23. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence in the Syrian Arab Republic, welcomes the efforts by neighbouring countries to host Syrian refugees, and acknowledges the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

24. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic, and urges the international community 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;

25. *Welcomes* the outcome of the Third International Humanitarian Pledging Conference for Syria, held in Kuwait City, expresses its appreciation to donor States, and calls upon all members of the international community to respond expeditiously to the Syrian humanitarian appeals and to fulfil all previous pledges;

26. *Demands* that the Syrian authorities facilitate, and all other parties to the conflict do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors, including to besieged areas, in accordance with Security Council resolutions 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014 and 2191 (2014) of 17 December 2014, and calls upon Member States to fully fund the United Nations appeals;

27. *Takes note* of those countries outside the region that have put in place measures and policies to assist and to host Syrian refugees, and encourages them to do more, and other States to consider implementing similar measures and policies, also with a view to providing them with protection and humanitarian assistance;

28. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, and urges the parties to the conflict to abstain from actions that may contribute to the continuing deterioration of the security and humanitarian situation, in order to reach a genuine political transition, based on the Geneva communiqué;

29. *Demands* that all parties work urgently towards the comprehensive implementation of the Geneva communiqué, aimed at bringing an end to all violence, violations and abuses of human rights and violations of international humanitarian law, and the launching of a Syrian-led political process leading to a political transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their future, including through the establishment of an

inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

30. *Decides* to transmit all reports and oral updates of the Commission of Inquiry to all relevant bodies of the United Nations, recommends that the Commission brief the General Assembly during its seventieth session, also recommends that the Assembly submit the reports to the Security Council for appropriate action, expresses its appreciation to the Commission for its briefings to members of the Security Council, and recommends the continuation of future briefings;

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

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