



# General Assembly

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## Human Rights Council

**Eighteenth special session**

2 December 2011

### Resolution adopted by the Human Rights Council

#### **S-18/1. The 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 60/251 of 15 March 2006 and 65/281 of 17 June 2011, and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

*Recalling* also Human Rights Council resolutions S-16/1 of 29 April 2011 and S-17/1 of 22 August 2011, and the draft resolution adopted by the Third Committee of the General Assembly on 22 November 2011,<sup>1</sup>

*Deploing* the refusal of the Government of the Syrian Arab Republic to implement fully Human Rights Council resolutions S-16/1 and S-17/1 and its continued non-cooperation with the independent commission of inquiry, in particular the continued lack of access to the country afforded to the commission,

*Deeply concerned* by all ongoing grave violations of human rights by the Syrian authorities against their population, including civil and political rights, as well as economic, social and cultural rights,

*Stressing* again the importance of ensuring accountability and the need to end impunity and to hold to account those responsible for human rights violations, including those violations that may amount to crimes against humanity,

*Welcoming* the initiatives, efforts and measures of the League of Arab States to address all aspects of the situation in the Syrian Arab Republic, and the steps taken by the League to ensure the implementation of its Plan of Action of 2 November 2011, including those steps aimed at ending all human rights violations and all acts of violence,

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<sup>1</sup> A/C.3/66/L.57/Rev.1.

*Expressing* concern about the continued lack of commitment by the Syrian authorities to fully and immediately implement the Plan of Action of the League of Arab States,

Welcoming the statement of the Secretary-General of the League of Arab States of 16 October 2011, and welcoming also the decisions on the situation in the Syrian Arab Republic made by the League on 16 October and on 2, 12, 16, 24 and 27 November 2011,

*Reaffirming* that all States Members of the United Nations should refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations,

1. *Welcomes* the report of the commission of inquiry<sup>2</sup> 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 gross and systematic violations of human rights have been committed by the Syrian authorities and members of the Syrian military and security forces in different locations in the Syrian Arab Republic since March 2011 that may amount to crimes against humanity;

2. *Strongly condemns*:

(a) The continued widespread, systematic and gross violations of human rights and fundamental freedoms by the Syrian authorities, such as arbitrary executions, excessive use of force and the killing and persecution of protesters, human rights defenders and journalists, arbitrary detention, enforced disappearances, torture and ill-treatment, including of children;

(b) The attacks against civilians in cities and villages across the country, their repetitive nature, the levels of excessive force used consistently by units of the Syrian armed forces and diverse security forces, the coordinated nature of these attacks and the fact that they 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 obstruction and denial of medical assistance to the injured and sick, and the raids and harassment of wounded protesters in both public and private hospitals;

3. *Urges* the Government of the Syrian Arab Republic to meet its responsibility to protect its population, to immediately put an end to all human rights violations, to stop any attacks against civilians and to comply fully with its obligations under international human rights law, and calls for an immediate end to all violence in the country;

4. *Also urges* the Government of the Syrian Arab Republic, without delay:

(a) To release immediately all prisoners of conscience and arbitrarily detained persons, and grant access for independent international monitors to all places of detention;

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<sup>2</sup> A/HRC/S-17/2/Add.1.

- (b) To initiate prompt, independent and impartial investigations in accordance with international standards to end impunity, ensure accountability and bring perpetrators to justice;
- (c) To suspend from the military and the security forces all alleged perpetrators of serious human rights violations;
- (d) To establish a mechanism to investigate cases of disappearances by allowing relatives of disappeared persons to report the details of their cases, and ensure appropriate investigation;
- (e) To guarantee unhindered access to medical care without any discrimination or control, and not to intervene in hospitals to arrest or abduct any wounded protesters;
- (f) To allow independent and international media to operate in the Syrian Arab Republic without undue restrictions, harassment or intimidation, to allow access to the Internet and the telecommunications network, and to lift censorship on reporting;
- (g) To respect human rights defenders and ensure that there are no reprisals against persons who have cooperated with the commission of inquiry;
- (h) To ensure timely, safe and unhindered access for humanitarian actors and the safe passage of humanitarian and medical supplies into the country;
- (i) To facilitate the voluntary return of Syrian refugees and internally displaced persons;
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. *Urges* the Syrian authorities to respect the popular will, aspirations and demands of its people;
7. *Also urges* the Syrian authorities to take immediate steps to ensure the safety of foreign nationals in the Syrian Arab Republic, in particular of diplomatic staff, as well as the protection of their property;
8. *Recommends* that the main bodies of the United Nations urgently consider the report of the commission of inquiry and take appropriate action;
9. *Calls upon* the Syrian authorities to cooperate fully with the Office of the United Nations High Commissioner for Human Rights, including through the establishment of a field presence in the Syrian Arab Republic;
10. *Decides* to establish the mandate of Special Rapporteur on the situation of human rights in the Syrian Arab Republic once the mandate of the commission of inquiry ends, to monitor the situation of human rights in the Syrian Arab Republic as well as the implementation of the recommendations made by the commission of inquiry addressed to the authorities of the Syrian Arab Republic and of the resolutions of the Human Rights Council on the situation of human rights in the Syrian Arab Republic, and calls upon the Government of the Syrian Arab Republic to cooperate fully with the Special Rapporteur;
11. *Requests* the Special Rapporteur to report to the Human Rights Council and the General Assembly within twelve months of the establishment of the mandate, and to present oral updates to the Council during the interim period under agenda item 4;
12. *Requests* the Secretary-General to provide the Special Rapporteur with the resources necessary to fulfil the mandate;

13. *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, without further delay, and urges the Syrian Arab Republic to sign a draft protocol on the mission of the League's observers to the Syrian Arab Republic;

14. *Invites* the relevant United Nations agencies and regional organizations, particularly within the framework of the Plan of Action of the League of Arab States:

(a) To support efforts to protect the population of the Syrian Arab Republic and to bring an immediate end to gross human rights violations;

(b) To assist the Syrian Arab Republic in strengthening the independence of its judiciary and reforming its security sector through bilateral and multilateral development cooperation;

15. *Encourages* relevant thematic special procedures mandate holders, within their respective mandates, to continue to pay particular attention to the situation of human rights in the Syrian Arab Republic, and urges the Syrian Arab Republic to cooperate with all the said mandate holders, including by allowing country visits;

16. *Calls upon* the Syrian authorities to cooperate fully with the commission of inquiry, including by granting it access to the country;

17. *Invites* the United Nations High Commissioner for Human Rights to report periodically on the situation of human rights in the Syrian Arab Republic;

18. *Invites* the Secretary-General, in accordance with his functions, 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 and resolutions;

19. *Decides* to transmit the report of the commission of inquiry to the Secretary-General for appropriate action and transmission to all relevant United Nations bodies, and requests the Secretary-General to present a report on the implementation of the present resolution to the Human Rights Council at its nineteenth session;

20. *Also decides* to remain seized of the matter and to consider further appropriate steps to be taken at its nineteenth session.

*2nd meeting  
2 December 2011*

[Adopted by a recorded vote of 37 to 4, with 6 abstentions. The voting was as follows:

*In favour:*

Austria, Belgium, Benin, Botswana, Burkina Faso, Chile, Congo, Costa Rica, Czech Republic, Djibouti, Guatemala, Hungary, 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, Ecuador, Russian Federation

*Abstaining:*

Angola, Bangladesh, Cameroon, India, Philippines, Uganda]