

## **Situation of human rights in the Syrian Arab Republic**

*The Human Rights Council,*

*Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments, (A/HRC/S-11/1)*

*Reaffirming the purposes and principles of the United Nations as contained in Articles 1 and 2 of the Charter, including the principle of non-interference in matters that are essentially within the domestic jurisdiction of States, (A/HRC/S-11/1)*

*Recalling Council resolutions 5/1 and 5/2 on institution-building of the Human Rights Council, (A/HRC/S-11/1)*

*Reaffirming that UN member states have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms for all without distinctions as to race, sex, language or religion. (Universal Declaration on Human Rights, pp6 & UN Charter 13)*

*Reaffirming that all States have an obligation to protect **everyone has** the rights to life, liberty and security of persons within their territory, (UDHR Article 3)*

*Reaffirming the respect for the sovereignty, territorial integrity and independence of the Syrian Arab Republic and its sovereign rights to protect its citizens, (A/HRC/S-11/1)*

*Recalling that, **Welcoming the decision of the government of the Syrian Arab Republic to lift the state of emergency,** -in accordance with Article 4 of the International Covenant on Civil and Political Rights, the right to life and freedom from torture and other cruel, inhuman or degrading treatment cannot be derogated from under any circumstances, even in public emergency,*

*— Recalling also that everyone must be able to express their grievances through public and peaceful demonstrations, —*

*Recalling that in accordance with article 25 of the ICCPR, every citizen shall have the right and the opportunity to take part in the conduct of public affairs, directly or through freely chosen representatives. (ICCPR, Article 25)*

*Stressing that necessary and proper actions should be taken by authorities in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.(ICCPR Article 21)*

**Reaffirming that all UN member states shall 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. (UN Charter, Article 2)**

~~Expressing deep concern~~ at the deaths of hundreds of people in connection with the recent and ongoing political protests in Syria and rejecting unequivocally the violence against peaceful protesters by the Syrian authorities;

~~Supporting~~ the recent statements made by the Secretary-General of the United Nations, the United Nations High Commissioner for Human Rights, and UN Special Rapporteurs with respect to Syria which call for an end to the killings, accountability, protection of human rights defenders and respect for freedom of expression;

1. ~~Strongly condemns~~ the killing, arrest and torture of hundreds of peaceful protesters by the Syrian government, and the hindrance of access to medical treatment.

1- Expresses its deep regret for the loss of lives and the destruction of property and incidents of violence in the context of the recent events in the Syrian Arab Republic.

2. ~~Demands that~~ the Syrian Government meet its responsibility to protect its population, immediately put an end to all human rights violations, stop any attacks against peaceful protesters and respect fully all human rights and fundamental freedoms, including freedom of expression and freedom of assembly;

2- Reaffirms the responsibility of the Syrian Arab Republic in accordance with its obligations in International Human Rights Law to respect and protect the human rights of all people within its territory .

3- Reiterates that the exercise of the freedom of expression carries with it special duties and responsibilities. It may therefore be subject to certain restrictions (ICCPR Art 19)

**4- Urges all member states to follow the Purposes and Principles of the UN Charter and relevant norms of international law and respect sovereignty, independence, and territorial integrity of any state.**

5- Recognizes that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings, (A/HRC/ S-11/1)

- 6- Reaffirms that in accordance with article 30 of the UDHR, the exercise of the freedom of assembly or expression by any State, group or person must not destroy or violate other human rights and fundamental freedoms.

**7- Welcomes the positive measures taken by the authorities of the Syrian Arab Republic to ensure the protests being conducted in a peaceful way, without affecting public order, personal**

safety and property security, and to quickly restore social stability and protect the human rights of all their people.

8. Welcomes the efforts of the Syrian Arab Republic to deal with the legitimate demands of the protesters in accordance with domestic law.

~~3.9 Also strongly calls upon~~Welcomes the decision of the Syrian Government to immediately release all prisoners of conscience, arbitrarily detained persons, including those who were detained before the recent events, as well as to immediately cease intimidation, persecution and arbitrary arrests of individuals, including lawyers, human rights defenders and journalists; those detained in connection with the latest events and who have not committed any crimes. (EU Council Conclusions on Syria and Bahrain, 22 March 2011)

10- Welcomes all the reform steps undertaken so far by the Syrian Arab Republic to meet legitimate demands for reform, and encourages it to continue the national dialogue to continue to respond to those demands.

~~4.11 Urges~~ the Syrian authorities to refrain from any reprisals against people who have taken part in the demonstrations and to allow the provision of urgent humanitarian assistance to those in need;

~~5. 12 Also urges~~Encourages the Syrian authorities to continue to allow protect, preserve and maintain the freedom of expression, to immediately cease the blocking of access to the Internet and telecommunications networks, and to lift censorship on reporting; and ~~further urges~~ the Syrian authorities to allow access by foreign journalists, in accordance with national laws.

~~6.11. Stresses~~ the need to investigate and, as appropriate, prosecute those responsible for attacks on peaceful protesters in the Syrian Arab Republic, including by forces under Government control; Calls on the authorities of the Syrian Arab Republic to investigate all alleged crimes and human rights violations committed during the protests, in particular those that lead to the deaths and injuries of protesters and to establish the facts and circumstances of such violations and of the crimes perpetrated and, where possible, to identify those responsible, to make recommendations, in particular, on accountability measures, all with a view to ensuring that those individuals responsible are held accountable(OP9 and EU Council conclusions on Syria, 12 April 2011), and recognizes in this context the decision of the Syrian Arab Republic to establish an independent, impartial and transparent national enquiries commission to investigate all crimes committed during the past few weeks the Syrian Arab Republic.

~~7. Recalls~~ that General Assembly resolution 60/251 provides that when electing members of the Council the contribution of candidates to the promotion and protection of human rights shall be taken into

account, and notes that as such the recent human rights violations committed in the Syrian Arab Republic must be considered when they seek membership in the Human Rights Council;

~~8. Calls on the Syrian authorities to guarantee access to human rights and humanitarian organizations, including human rights monitors.~~

~~9. Decides to urgently dispatch an independent, international commission of inquiry, to be appointed by the President of the Council, to investigate all alleged violations of international human rights law in the Syrian Arab Republic, to establish the facts and circumstances of such violations and of the crimes perpetrated and, where possible, to identify those responsible, to make recommendations, in particular, on accountability measures, all with a view to ensuring that those individuals responsible are held accountable, and to report to the Council at its seventeenth session, and calls upon the Syrian authorities to fully cooperate with the Commission;~~

~~10. Requests the Secretary-General and the High Commissioner to provide all the administrative, technical and logistical assistance required to enable the above-mentioned commission of inquiry to fulfil its mandate;~~

~~11. Encourages relevant thematic special-procedures mandate holders, within their respective mandates to pay particular attention to the human rights situation in Syria, and urges Syrian authorities to cooperate with and grant immediate and broad access to these thematic mandate-holders, including by allowing country visits; to engage in a constructive dialogue with the Syrian government~~

~~12. Encourages the Office of the High Commissioner for Human Rights to carry out a country visit to the Syrian Arab Republic upon receiving an invitation from the authorities, and urges the Syrian Government to cooperate with and grant immediate and broad access to personnel from the Office of the High Commissioner for Human Rights, including by allowing country visits;~~

~~13. Requests the High Commissioner for Human Rights to provide a preliminary report and oral update on the abuses and violations of human rights in the Syrian Arab Republic to the Council at its seventeenth session, and to submit a follow-up report to the Council at its eighteenth session, as well as to organize an interactive dialogue on the situation of human rights in the Syrian Arab Republic during the eighteenth session of the Council;~~

~~14. Decides to remain seized of the matter.~~