Belgium, Germany and Kuwait: draft resolution

The Security Council,


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

Reiterating its grave distress at the continued severity of the devastating humanitarian situation in Syria, and at the fact that urgent humanitarian assistance is required by 11.7 million people in Syria, of whom 6.2 million are internally displaced,

Reaffirming that there is no military solution to the Syria conflict, expressing outrage at the unacceptable levels of violence escalating in and around Idlib Governorate, in particular at the indiscriminate attacks in densely populated areas, including through an intensified campaign of aerial bombings and the use of barrel bombs, and heavy shelling, and further expressing its alarm about the risk of a further deterioration of the humanitarian situation in the event of continued military escalation in northwest Syria, with an estimated civilian population of three million, including over one million children, whilst noting that almost half of the civilian population of Idlib Governorate are internally displaced persons,

Expressing serious concern at the presence of terrorist groups, as designated by the Security Council, and their activities in Idlib Governorate,

Condemning attacks against civilians, civilian objects and medical facilities, including those on the deconfliction list and UN-supported facilities in the area, further compounding suffering and displacing large numbers of people, and recalling in this regard the legal obligations of all parties under international humanitarian law and international human rights law, as well as all relevant United Nations Security Council resolutions, especially to cease all attacks against civilians and civilian objects, medical facilities, as well as attacks on schools, and stressing the need to end impunity for violations of international humanitarian law and violations and abuses of human rights, and reaffirming that those who have committed or are otherwise responsible for such violations and abuses in Syria must be brought to justice,
Reaffirming that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights law, refugee law, and international humanitarian law, while reaffirming its resolve to address all aspects of the threat posed by the Islamic State in Iraq and the Levant (ISIL, also known as Da’esh), Al Qaeda and Al-Nusra Front (ANF) and all other individuals, groups, undertakings and entities associated with Al-Qaeda or ISIL, and other terrorist groups, as designated by the Security Council,

Reiterating its deep concern at the continued lack of humanitarian access in various parts of Syria, and recalling in this context its resolution 2449 which demanded that all parties allow safe, unimpeded, and sustained access for United Nations’ and their implementing partners’ humanitarian convoys, including medical and surgical supplies, to all requested areas and populations according to United Nations’ assessments of need in all parts of Syria, and recalling the obligations for all parties to respect the relevant provisions of international humanitarian law and recalling the United Nations guiding principles of humanitarian emergency assistance, emphasizing the importance of upholding the principles of humanity, impartiality, neutrality, and independence, in the provision of humanitarian assistance and recalling also the importance of humanitarian deliveries reaching their intended beneficiaries,

Stressing the importance of de-escalation and respecting ceasefire agreements, as well as the full implementation of resolutions 2254 (2015), 2268 (2016) and 2401 (2018), as steps towards a comprehensive nation-wide ceasefire, and emphasizing the need for all parties to respect their commitments to existing ceasefire agreements, and that the provision of humanitarian assistance is essential for the survival of the civilian population must be part of these efforts in accordance with international humanitarian law,


Expressing outrage at the insufficient implementation of its resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2254 (2015), 2258 (2015), 2268 (2016), 2332 (2016), 2393 (2017), 2401 (2018), and 2449 (2018), and recalling that resolution 2401 demands that all parties cease hostilities without delay,

Determining that the devastating humanitarian situation in Syria continues to constitute a threat to peace and security in the region,

Underscoring that Member States are obligated under Article 25 of the Charter of the United Nations to accept and carry out the Council’s decisions,

1. Decides that all parties shall immediately cease hostilities to avoid a further deterioration of the already catastrophic humanitarian situation in Idlib Governorate, beginning at noon Damascus time on 21 September 2019;

2. Demands that Member States ensure that all measures taken to counter terrorism, including in Idlib Governorate, comply with their obligations under international law, including international humanitarian law, international human rights law, and international refugee law, and stresses that counterterrorism operations do not absolve parties to armed conflicts of their obligations under international humanitarian law, including their obligation to distinguish between civilian populations and combatants, and urges all parties to apply the principles of distinction, proportionality, and the obligation to take all feasible precautions to avoid and in any event minimize harm to civilians and civilians objects, and requests the Secretary-General to provide reports of any violations of international humanitarian law to the Security Council immediately;
3. *Reiterates* its demand, reminding in particular the Syrian authorities, that all parties immediately comply with their obligations under international law, including international human rights law, as applicable, and international humanitarian law, in particular the respect for protection of civilians, including the immediate halting of any indiscriminate aerial bombardments resulting in civilian casualties, as well as taking all feasible precautions to avoid, and in any event minimize, harm to civilians, including children, and civilian objects, as well as the respect for and protection of all medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities;

4. *Demands* the full and immediate implementation of all provisions of all relevant Security Council resolutions, including resolutions 2139 (2014), 2165 (2014), 2254 (2015), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018), 2449 (2018), and recalls that some of the violations and abuses committed in Syria may amount to war crimes and crimes against humanity, and stresses that those who have committed violations of international humanitarian law and international human rights law must be held accountable;

5. *Calls upon* all parties to respect and fulfil their commitments to existing ceasefire agreements, including the full implementation of resolutions 2254 (2015), 2268 (2016) and 2401 (2018), and furthermore calls upon all Member States to use their influence with parties to ensure the implementation of a cessation of hostilities, the fulfilment of existing commitments and to support efforts to create the conditions for a durable and lasting nation-wide ceasefire and stresses the need for relevant guarantees from those Member States, including through the implementation of the memorandum of understanding agreed between the Russian Federation and Turkey on 17 September 2018;

6. *Emphasizing* the need for a ceasefire monitoring, verification and reporting mechanism, requests the Secretary-General to report to the Security Council on options for such a mechanism that it can support, as soon as possible and no later than one month after the adoption of this resolution, and encourages Member States, including members of the Security Council, to provide assistance, including through expertise and in-kind contributions, to support such a mechanism;

7. *Requests* the Secretary-General, through his good offices and the efforts of his Special Envoy for Syria, as outlined in resolution 2254 (2015), to continue to engage in order to find, without delay, a durable and lasting solution to the situation in Idlib Governorate, and calls on all relevant Member States, parties to the conflict, and the international community to support and provide concrete assistance to these efforts;

8. *Reiterates* its demand that all parties allow and facilitate, safe, unimpeded and sustained humanitarian access for the United Nations and its implementing partners to requested areas and populations in Syria in order to ensure that humanitarian assistance reaches people through the most direct route in order to meet basic needs, consistent with the provisions of its resolution 2449 (2018);

9. *Demands* that all parties facilitate safe and unimpeded passage for medical personnel and humanitarian personnel exclusively engaged in medical duties, their equipment, transport and supplies, including surgical items, to all people in need, consistent with international humanitarian law and reiterates its demand that all parties demilitarize medical facilities, schools and other civilian facilities and cease to establish military positions in populated areas and desist from attacks directed against civilian objects;
10. *Calls upon* all parties, in particular the Syrian authorities, to undertake confidence-building measures, including through the immediate release of any arbitrarily detained persons, particularly women, children, and the elderly, as well as the provision of information on missing persons and handover of the bodies of the deceased to families, as outlined in resolution 2474 (2019);

11. *Reiterates* that there will be no significant and sustainable improvement of the humanitarian situation in the absence of a political solution to the Syrian conflict in line with resolution 2254 (2015) and the Geneva Communique of 30 June 2012, to facilitate a Syrian-led and Syrian-owned political transition, in order to end the conflict in Syria, and further reiterates its support for the efforts of the Special Envoy, and stressing again that the Syrian people will decide the future of Syria;

12. *Reaffirms* that it will take further measures under the Charter of the United Nations in the event of non-compliance with this resolution;

13. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution, and on compliance by all relevant parties in Syria, within 15 days of the adoption of this resolution and thereafter within the framework of its reporting on resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018), and 2449 (2018);

14. *Decides* to remain actively seized of the matter.