

## I. Resolution adopted by the Council at its seventeenth special session

S-17/1.

### The human rights situation in the Syrian Arab Republic

*The Human Rights Council,*

*Guided by the Charter of the United Nations,*

*Reaffirming the purposes and principles of the Charter, 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 article 4 of International Covenant on Civil and Political Rights with regards to rights that may not be derogated from under any circumstances, even in a public emergency,*

*Recalling General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011,*

*Recalling Human Rights Council resolution S-16/1 of 29 April 2011, on "The current human rights situation in the Syrian Arab Republic in the context of recent events",*

*Recalling also the Presidential statement of the Security Council S/PRST/2011/16 of 3 August 2011*

*Taking note that the High Commissioner for Human Rights briefed the Security Council on the human rights situation in the Syrian Arab Republic on 18 August 2011,*

*Taking note of the recent statements of the Secretary-General and of the High Commissioner and the joint statement of the Human Rights Council special procedures mandate holders of 5 August 2011 on the human rights violations in the Syrian Arab Republic,*

*Noting the statements of the Secretary General of the Organization of Islamic Cooperation of 14 August 2011 and of the Secretary General of the League of Arab States of 7 August 2011 expressing their concerns over the human rights situation in the Syrian Arab Republic,*

*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. *Strongly condemns* the continued grave and systematic human rights violations by the Syrian authorities, such as arbitrary executions, excessive use of force and the killing and persecution of protesters and human rights defenders, arbitrary detention, enforced disappearances, torture and ill-treatment of detainees, also of children;

2. *Welcomes* the publication of the report of the fact-finding mission dispatched by the Office of the High Commissioner pursuant to Human Rights Council resolution S-16/1 of 29 April 2011 and *expresses* profound concern about its findings, including that patterns of human rights violations existed that may amount to crimes against humanity;

3. *Deplores* the continued indiscriminate attacks on the Syrian population and calls upon the Syrian authorities to cease immediately all acts of violence against its population;

4. *Calls* upon the Syrian authorities to immediately put an end to all human rights violations, to protect their population and to fully comply with their obligations under international human rights law and *calls* for an immediate end to all violence in the Syrian Arab Republic;

5. *Calls* upon the Government of the Syrian Arab Republic to release immediately all prisoners of conscience and arbitrarily detained persons, as well as to cease immediately any intimidation, persecution and arbitrary arrests of individuals, including journalists, lawyers and human rights defenders;

6. *Urges* further the Syrian authorities to allow independent media to operate in Syria without undue restrictions; to allow access to the Internet and telecommunications networks for all and to lift censorship on reporting;

7. *Expresses concern* about the humanitarian situation and *urges* the Syrian authorities to ensure timely, safe and unhindered access for all humanitarian agencies and workers and to ensure the safe passage of humanitarian and medical supplies into the country;

8. *Calls for* a Syrian led political process and for an inclusive, credible and genuine national dialogue conducted in an environment without fear and intimidation with the aim of effectively addressing the legitimate aspirations and concerns of the Syrian population aimed at the promotion and protection of their human rights;

8bis. *Regrets* that previous calls for a genuine dialogue have not been answered and *regrets also* the lack of progress in the implementation of the announced commitments of political reform by the Syrian authorities;

9. *Reinforces* the call upon the Syrian authorities to cooperate fully with the Office of the High Commissioner and Human Rights Council mechanisms, and expresses its deep regret over the non compliance by the Syrian authorities with Council resolution S-16/1 and the non cooperation with the Office's fact-finding mission;

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

11. *Stresses* the need for an international, transparent, independent and prompt investigation into violations of international law, including international human rights law, and to hold those responsible to account;

12. *Decides* to dispatch urgently an independent international commission of inquiry, to be appointed by the President of the Human Rights Council, to investigate all alleged violations of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view of ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable;

13. *Requests* that the report of the above-mentioned commission of inquiry be made public as soon as possible, and in any case before end November 2011; and *also requests* the commission of inquiry to present a written update to the report on the situation in the Syrian Arab Republic in an interactive dialogue with the participation of the High Commissioner at the 19<sup>th</sup> session of the Human Rights Council;

13bis. *Decides* to transmit the report of the commission of inquiry and its update to the General Assembly and recommends that the General Assembly transmit the reports to all relevant bodies of the United Nations;

13ter. *Calls upon* the Syrian authorities to fully cooperate with the commission of inquiry,

14. *Requests* the Secretary-General and the High Commissioner for Human Rights to provide the full administrative, technical and logistical support needed to enable the commission of inquiry to carry out its mandate;

15. *Requests* the High Commissioner for Human Rights to report on the implementation of this resolution to the Council at its 19<sup>th</sup> session;

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

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