



# General Assembly

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**Human Rights Council**  
**Seventeenth special session**  
22 August 2011

## **Report of the Human Rights Council on its seventeenth special session**

*Vice-President and Rapporteur: Ms. Gulnara Iskakova (Kyrgyzstan)*

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

### **S-17/1.**

#### **Situation of human rights 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 the International Covenant on Civil and Political Rights with regard to rights that may not be derogated from under any circumstances, even in a public emergency,*

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

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

*Recalling the statement by the President of the Security Council S/PRST/2011/16 of 3 August 2011,*

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

*Taking note also of the recent statements by the Secretary-General and the High Commissioner, and of 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, in which they expressed their concerns over the situation of human rights 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, including of children;

2. *Welcomes* the publication of the report of the fact-finding mission dispatched by the Office of the United High Commissioner for Human Rights pursuant to Human

Rights Council resolution S-16/1,<sup>1</sup> and expresses profound concern about its findings, including that there were patterns of human rights violations 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 it;

4. *Calls upon* the Syrian authorities to immediately put an end to all human rights violations, to protect the 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* the Syrian authorities to allow independent media to operate in the Syrian Arab Republic without undue restrictions, to allow access to the Internet and telecommunications networks for all, and to lift censorship on reporting;

7. *Expresses concern* at 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;

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

10. *Reinforces its 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;

11. *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 authorities to cooperate with those mandate holders, including by allowing country visits;

12. *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;

13. *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 to

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<sup>1</sup> A/HRC/18/53.

ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable;

14. *Requests* that the report of the above-mentioned commission of inquiry be made public as soon as possible and, in any case, before the end of 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 at the nineteenth session of the Human Rights Council, in an interactive dialogue with the participation of the High Commissioner;

15. *Decides* to transmit the report of the commission of inquiry and the update thereto to the General Assembly, and recommends that the Assembly transmit the reports to all relevant bodies of the United Nations;

16. *Calls upon* the Syrian authorities to cooperate fully with the commission of inquiry;

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

18. *Requests* the High Commissioner to report on the implementation of the present resolution to the Human Rights Council at its nineteenth session;

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

## **II. Organization of work of the seventeenth special session**

1. Pursuant to paragraph 10 of General Assembly resolution 60/251, and in accordance with rule 6 of the rules of procedure of the Human Rights Council as contained in the annex to Council resolution 5/1, the Council “shall hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council”.

2. On 17 August 2011, the Permanent Mission of Poland and the Permanent Observer of the European Union requested the convening of a special session of the Human Rights Council on 22 August 2011 to address the question of the situation of human rights in the Syrian Arab Republic.

3. The above-mentioned request was supported by 24 States Members of the Human Rights Council: Austria, Belgium, Botswana, Chile, Costa Rica, the Czech Republic, Guatemala, Hungary, Italy, Jordan, Kuwait, Maldives, Mexico, Norway, Peru, Poland, Qatar, the Republic of Moldova, Romania, Saudi Arabia, Senegal, Spain, Switzerland, the United States of America and Uruguay.

4. In addition to the above-mentioned Member States, the request was also signed by the following Member and observer States: Albania, Australia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Japan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, Portugal, the Republic of Korea, Serbia, Slovakia, Slovenia, Sweden, Tunisia, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland.

5. As more than one third of the membership of the Human Rights Council supported the above-mentioned request, the President of the Council, following consultations with the main sponsors, decided to convene open-ended informative consultations on 18 August 2011 and a special session of the Council on 22 August.

## **A. Opening and duration of the session**

6. The Human Rights Council held its seventeenth special session at the United Nations Office at Geneva on 22 and 23 August 2011. It held two meetings during the session.

7. The seventeenth special session was opened by the President of the Human Rights Council, Laura Dupuy Lasserre.

## **B. Attendance**

8. The special session was attended by representatives of States Members of the Human Rights Council, observer States of the Council, observers for non-Member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

## **C. Officers**

9. At its first organizational meeting of the sixth cycle, on 20 June 2011, the Human Rights Council elected the following officers, who also served as officers for the seventeenth special session:

President:	Laura Dupuy Lasserre (Uruguay)
Vice-Presidents:	Christian Strohal (Austria) Anatole Fabien Nkou (Cameroon) András Dékány (Hungary)
Vice-President and Rapporteur:	Gulnara Iskakova (Kyrgyzstan)

## **D. Organization of work**

10. Pursuant to paragraph 124 of the annex to Human Rights Council resolution 5/1, an open-ended informative consultation was held on 18 August 2011 in preparation for the seventeenth special session.

11. At its 1st meeting, held on 22 August 2011, the Human Rights Council considered the organization of its work, including speaking time limits, which would be three minutes for statements by States Members of the Council and two minutes for statements by observer States of the Council, observers for non-Member States of the Council and other observers. The list of speakers would be drawn up in chronological order of registration. States Members of the Council would be given the floor first, followed by observer States and observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, and observers of national human rights institutions and non-governmental organizations.

12. The special session was conducted in accordance with the relevant provisions contained in Human Rights Council resolution 5/1.

## **E. Resolution and documentation**

13. The resolution adopted by the Human Rights Council at its seventeenth special session is reproduced in chapter I of the present report.

14. The list of documents issued for the seventeenth special session is contained in the annex to the present report.

## **F. Statements**

15. At the 1st meeting, on 22 August 2011, the United Nations High Commissioner for Human Rights made a statement.

16. At the same meeting, the Human Rights Council listened to a pre-recorded statement read by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan Mendez, on behalf of all special procedures mandate holders, at the request of the Coordination Committee of Special Procedures.

17. Also at the same meeting, the representative of the Syrian Arab Republic made a statement as the concerned country.

18. At the same meeting, on the same day, statements were made by the following States Members of the Human Rights Council: Austria, Belgium, Botswana, Chile, China, Costa Rica, Cuba, the Czech Republic, Guatemala, India, Indonesia, Italy, Kuwait, Malaysia, Maldives, Mexico, Nigeria, Norway, Peru, Poland (on behalf of the European Union), Qatar, Romania, the Russian Federation, Saudi Arabia, Spain, Switzerland, Thailand and the United States of America.

19. Also at the same meeting, on the same day, statements were made by the following:

(a) Observer States of the Human Rights Council: Australia, Bulgaria, Brazil, Canada, Croatia, the Democratic People's Republic of Korea, Denmark, Egypt, France, Germany, Iceland, Iran (Islamic Republic of), Iraq, Ireland, Israel, Japan, the Netherlands, New Zealand, Paraguay, Portugal, the Republic of Korea, Slovakia, Slovenia, Sri Lanka, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of);

(b) Observers for the following non-governmental organizations: the Amman Center for Human Rights Studies, Amnesty International, the Arab Commission for Human Rights, the Badil Resource Center for Palestinian Residency and Refugee Rights, the Cairo Institute for Human Rights Studies, CIVICUS - World Alliance for Citizen Participation, Human Rights Watch, the Indian Movement Tupaj Amaru, the International Commission of Jurists and the World Organization against Torture (joint statement), the International Federation for Human Rights Leagues, Press Emblem Campaign, Rencontre africaine pour la défense des droits de l'homme, Reporters Sans Frontiers International, United Nations Watch; the United Towns Agency for North-South Cooperation, the Union of Arab Jurists, the Arab Lawyer's Union and the General Arab Women Federation (joint statement).

## **G. Action on the draft proposal**

20. At the 2nd meeting, on 23 August 2011, the representative of Poland introduced draft resolution A/HRC/S-17/L.1, sponsored by Poland. Subsequently, Australia, Austria, Belgium, Botswana, Bulgaria, Canada, Chile, Costa Rica, Croatia, the Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Peru, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

21. At the same meeting, the representative of the Syrian Arab Republic made a statement as the concerned country.

22. Also at the same meeting, in accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution.

23. At the same meeting, the representatives of China and the Russian Federation made general comments.

24. Also at the same meeting, the representatives of Cuba, India and Uruguay made statements in explanation of vote before the vote.

25. At the same meeting, at the request of the representatives of China and the Russian Federation, a recorded vote was taken on the draft resolution, as orally revised. The draft resolution, as orally revised, was adopted by 33 votes in favour, 4 against, with 9 abstentions. The voting was as follows:

*In favour:*

Austria, Belgium, Benin, Botswana, Burkina Faso, Chile, Congo, Costa Rica, Czech Republic, Guatemala, Hungary, Indonesia, Italy, Jordan, Kuwait, Kyrgyzstan, Maldives, 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, Djibouti, India, Malaysia, Mauritania, Philippines, Uganda

For the text of the resolution as adopted, see chapter I.

26. Also at the same meeting, the representatives of Thailand and Indonesia made statements in explanation of vote after the vote.

### **III. Report of the Human Rights Council on its seventeenth special session**

27. At the 2nd meeting, held on 23 August 2011, the report was adopted ad referendum and the Rapporteur was entrusted with its finalization.

## Annex

### **List of documents issued for the seventeenth special session of the Human Rights Council**

#### *In the general series*

- A/HRC/S-17/1 Letter dated 17 August 2011 from the Permanent Observer of the European Union to the United Nations Office at Geneva and the chargé d'affaires a.i. Deputy Permanent Representative of Poland to the United Nations Office at Geneva addressed to the President of the Human Rights Council
- A/HRC/S-17/2 Report of the Human Rights Council on its seventeenth special session

#### *In the limited series*

- A/HRC/S-17/L.1 Grave human rights violations in the Syrian Arab Republic
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