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Human Rights Council

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—Djibouti, Kuwait, Qatar, Saudi Arabia, Turkey*, United States of America: draft resolution

S-19/... The deteriorating situation of human rights in the Syrian Arab Republic, and the recent killings in El-Houleh

The Human Rights Council,

Recalling General Assembly resolutions 66/176 of 19 December 2011 and 66/253 of 16 February 2012, Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 22 August 2011, S-18/1 of 2 December 2011, 19/1 of 1 March 2012 and 19/22 of 23 March 2012, and Security Council resolutions 2042 (2012) of 14 April 2012 and 2043 (2012) of 21 April 2012,

Condemning the killings, confirmed by United Nations observers, of dozens of men, women and children and the wounding of hundreds more in the village of El-Houleh, near Homs, in attacks that involved the wanton killing of civilians by shooting at close range and by severe physical abuse by pro-regime elements and a series of Government artillery and tank shellings of a residential neighbourhood; and reiterating that all violence in all its forms by all parties must cease,

Recalling that the statement made by the UN High Commissioner for Human Rights on 27 May 2012 that the atrocities in El-Houleh may amount to crimes against humanity and noting her repeated encouragement to the Security Council to refer the situation in Syria to the International Criminal Court,

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

1. *Condemns in the strongest possible terms* such an outrageous use of force against the civilian population, which constitutes a violation of applicable international law and of the commitment of the Government of the Syrian Arab Republic, under Security Council resolutions 2042 (2012) and 2043 (2012), to cease violence in all its forms, including the cessation of the use of heavy weapons in population centres;

2. *Condemns in the harshest terms* the outrageous killing of forty-nine children, all under the age of 10;

* Non-Member State of the Human Rights Council.

3. *Deplores* that the recent killings in El-Houleh occurred in a context of continued human rights violations in the Syrian Arab Republic, including ongoing arbitrary detentions, hindered access for the media and restrictions of the right to peaceful assembly;

4. *Emphasizes* the continued failure of the Syrian authorities to protect and promote the rights of all Syrians, including through repeated and systematic violations of human rights;

5. *Reiterates* its urgent call upon the Syrian authorities to put an immediate end to all violence and all human rights violations, and to meet their responsibility to protect their populations;

6. *Calls once again upon* the Syrian authorities to immediately allow United Nations human rights mechanisms and missions full and unfettered access and freedom of movement within the Syrian Arab Republic;

7. ~~*Reaffirms that those responsible for serious violations of human rights must be held accountable*~~*Stresses the need to conduct an international, transparent, independent and prompt investigation into violations of international law with a view to hold to account those responsible for widespread, systematic and gross human rights violations, including those violations that may amount to crimes against humanity;*

8. *Requests* the commission of inquiry to urgently conduct a comprehensive, independent and unfettered special inquiry, consistent with international standards, into the events in El-Houleh, and if possible to publicly identify those who appear responsible for these atrocities, and to preserve the evidence of crimes for possible future criminal prosecutions or a future justice process, and with a view to hold them to account those responsible; and also requests the commission to provide a full report of the findings of its special inquiry to the Human Rights Council at its twentieth session, and to coordinate, as appropriate, with relevant UN mechanisms;

9. *Calls upon* the Syrian authorities to cooperate fully with the commission of inquiry and to accord it full and unfettered access to the Syrian Arab Republic to conduct its work;

10. *Calls upon* all States Members of the United Nations to assist the commission of inquiry in its mission by providing the support necessary for it to achieve its objectives, including, but not limited to, Member States calling upon the Syrian authorities to grant the commission the access required to conduct its work;

11. *Calls upon* the Syrian authorities to grant immediate, unimpeded and full access of humanitarian organizations to all areas of the Syrian Arab Republic in order to allow them to provide relief and humanitarian assistance, and calls on all sides to respect the safety of humanitarian workers;

12. *Requests* the cooperation, as appropriate, of other relevant United Nations bodies with the commission of inquiry to carry out its mission, and requests the assistance of the United Nations High Commissioner for Human Rights and the Secretary-General in this regard;

13. *Calls for the urgent, comprehensive and immediate implementation of all elements of the Joint Special Envoy of the United Nations and the League of Arab States six-point proposal as annexed to Security Council resolution 2042 without any preconditions;*

13. *Invites* the Joint Special Envoy for the United Nations and the League of Arab States, Kofi Annan, to provide a briefing to the Human Rights Council at its twentieth session;

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