



www.eaford.org

25th Special Session of the Human Rights Council on the Deteriorating Situation of Human Rights in Syria

21 October 2016



In light of the dramatic deterioration of the situation in Syria, the Human Rights Council conducted on 21 October 2016 its 25th Special Session in Geneva with the aim of adopting an urgently needed resolution to address the human rights situation in the country and, in particular, in war-torn Aleppo.

Debate on the deteriorating situation of human rights in the Syrian Arab Republic

The meeting was opened with a short introduction by H.E. Mr. Geert Muylle, Vice President of the Human Rights Council, who advised that the request for the Special Session was advanced on 18th October by UK along with Albania, France, Germany, the Netherlands, Portugal, Saudi Arabia, Qatar, Switzerland and the United Arab Emirates among others, and supported by various Observer States.

A video statement by the High Commissioner for Human Rights was then screened, during which Mr. Zeid Ra'ad Al Hussein gave a brief overview on the deteriorating situation in Syria and recalled the main developments of the conflict. In particular he strongly condemned the destruction of schools and hospitals, the siege of cities and the indiscriminate shelling against civilians and described the situation as more than a humanitarian tragedy. He also stressed the failure of the international community to protect civilians and advised that this is in fact a shared responsibility.

The High Commissioner urged all parties to the conflict to abide by the international humanitarian law and reiterated the important role of the Human Rights Council in pressuring the Security Council to take action and refer the situation to the International Criminal Court (ICC).

With regards to Aleppo, Mr. Al Hussein finally stated that there should be an immediate ceasefire and that the entrance of humanitarian aid should be allowed unconditionally.

Mr. Paulo Pinheiro, Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic, stressed that the situation in Aleppo is dramatic and the death toll, which at present includes more than 100 children, continues to increase due to the indiscriminate shelling and the siege at the hands of the Syrian government and its primary ally, Russia. Humanitarian aid has been prevented and humanitarian convoys have been targeted, leaving hundreds of thousands of people starving and lacking basic goods for survival. In addition, hospitals and medical facilities have been targeted by the airstrikes, resulting in a countless number of people dying for the lack of medical care.

Mr. Pinheiro also mentioned the insurgency of terrorist groups that kill civilians in western Aleppo with homemade weapons, such as mortars. According to his report, no one is safe from attacks. In this context, he stated that international legal standards of observance of international humanitarian law have been completely disregarded and that all warring parties have refused to take responsibility for their actions. The responsibility, however, belongs also to those supporting the warring parties.

In these regards, Mr. Pinheiro advised that it is imperative that Member States of the Council stop disregarding the lives of the innocent civilians and called for accountability. Like the High Commissioner, he stressed the importance of referring the situation to the ICC. Political negotiations are urgent as peace evidently cannot be achieved through military action. At the same time, unconditional humanitarian relief needs to be allowed to enter the city immediately.

He then recalled the words of Mr. Stefan De Mistura, UN Special Envoy for Syria, who said that Aleppo might not be there anymore by the end of this year, if the airstrikes do not cease.

Regardless of the outcome of the session, Mr. Pinheiro ensured that the Commission will keep documenting the crimes occurring in Syria. In this context, the Syrian government should cooperate and provide all information to facilitate investigations. At the same time, EU countries hosting refugees should grant them access to the victims.

Ms. Catalina Devandas Aguilar, Representative of the Coordination Committee of Special Procedures, was then given the floor to present her report. She said that the Syrian conflict has been allowed to continue unabated. This conflict has displaced millions of refugees who have suffered from terrible mass-scale abuses. In Aleppo, advised Ms. Aguilar, the situation is particularly dire: incendiary weapons and airstrikes hit highly inhabited areas and destroyed the infrastructure necessary to sustain human life. In addition, humanitarian assistance has largely been prevented.

Violations in Syria have been committed by all parties to the conflict in a clear breach of international humanitarian law, which prohibits actions that cause unnecessary suffering to civilians.

The Representative encouraged more Special Rapporteurs to visit the country and finally called for accountability. Since war crimes and crimes against humanity have been committed, the situation should indeed be referred to the ICC.

Furthermore, Ms. Aguilar urged all concerned Member States to facilitate the reception of refugees in a cooperative spirit and to contribute to the ever so needed humanitarian funding.

The President of the Council then gave the floor to the representative of the Syrian Arab Republic who said that there are several countries interfering in a colonial way in Syria's affairs. This is not facilitating a settlement of the

conflict, but rather worsening it since these countries are allegedly sending weapons to the terrorist groups operating in Syria. The delegation rejected all accusation of war crimes stating that these accusations are groundless.

The representative stressed that terrorists attack civilians on a daily basis, particularly al Nusra Front. Nevertheless, the reports of the Commission of Inquiry hardly mention this. According to the delegation, this is a propaganda campaign to demonize the Syrian government. He finally concluded by saying that most Member States of the Council are not really concerned about civilians. If they were, they would be supporting the government in the fight against terrorism.



Statements of Member States

All Member States were unified in convening that the situation in Syria is a real humanitarian catastrophe. However, they seemed quite divided in pointing out how such a catastrophe should be addressed and what the main causes of it are.

On one side, the majority of the Member States, such as most European Union States, the Nordic countries, the Maldives, Qatar, Saudi Arabia, Mexico, United Arab Emirates, South Korea and Morocco expressed deep concern for the escalating levels of violence in Aleppo. In this regard, the deliberate targeting of highly inhabited areas, medical facilities and schools at the hands of the Syrian government and its allies was pointed at as the main source of suffering for innocent civilians, and, therefore, it was highly condemned. The prevention of humanitarian relief to the striving population was also largely mentioned, as well as, the recent targeting of UN humanitarian convoys.

They highlighted how all these actions are in fact breaching both International law and International Humanitarian Law and must be immediately stopped. The aforementioned countries thus called for an immediate transparent ceasefire, underlining how a political solution is the only viable way to end the conflict. They urged the Syrian government to allow the unconditional delivery of humanitarian aid and stressed how those responsible for crimes against humanity and war crimes must be held accountable.

On the other side there were Member States such as Russia, Algeria and Cuba which stressed that the primary threat and the primary cause of suffering in Syria are terrorist groups, such as al Nusra Front and ISIS. According to these states, it is vital to fight terrorism in order to restore peace in the country, and in this context, the Human Rights Council should act in harmony towards such purpose. However, the body has become a politicized platform for justifying actions that undermine the sovereignty of Syria.

Statements of Observer States

Among the Observer States, there was again general acknowledgement that the humanitarian situation of Syrians, especially those living in Aleppo, has reached unprecedented levels of tragedy. However, as for the Member States, there was disagreement over the source of such suffering and the steps to be taken.

States such as Czech Republic, Australia, New Zealand, Poland, USA, Bahrain, Greece, Italy, Liechtenstein, Estonia, Ireland, Uruguay and Argentina condemned the cynical and systematic targeting of highly populated areas and medical facilities, as well as, the use of starvation as a military weapon. They were more or less united in accusing the Syrian government and its allies of breaching international humanitarian law and calling for accountability. Furthermore, they called for a peaceful settlement of the conflict and for the unconditional delivery of humanitarian aid.

States like Malaysia and Thailand called for a peaceful and sustainable solution and reiterated the need for dialogue.

A strong condemnation for the Syrian government and its Russian allies came from Turkey and the United States, pointing at such alliance as the main party responsible for the disaster and called for accountability.

EAFORD Participation in the Special Session

[The International Organization for the Elimination of All Forms of Racial Discrimination \(EAFORD\)](#) in a joint statement with Geneva International Centre for Justice recalled the latest developments of the Syrian crisis, and especially in Aleppo. In these regards, the blockade of humanitarian access to the city for over a month was mentioned, as well as, the continuous shelling of civilian areas and the targeting of public infrastructures, including schools and medical facilities. This has indeed resulted in massacres of women, children and the elderly and almost entirely ended life in the city. Deep concern was also expressed for the blockade of the few remaining medical supplies. Furthermore, the organizations condemned the attacks against humanitarian convoys, obstructing and preventing the entry of basic goods to the besieged areas, in clear violation of all international resolutions concerning the improvement of the humanitarian situation in Syria.

In light of the urgent need for medical evacuation of the sick and wounded, and the delivery of food aid to the hundreds of thousands of people trapped in the city, EAFORD and GICJ called on the Council's immediate intervention. The organizations also urged the belligerents to respect international humanitarian law, as well as provide safe corridors and roads for the delivery of humanitarian aid in order to save the lives of the trapped persons. This can only be achieved if the international community works harmoniously to find a political solution and end the conflict in Syria.

The following is United Nations Webcast of EAFORD's Joint Statement:

[Human Rights in Syria and the Recent Deteriorating Situation in Aleppo](#) - [\(Original in Arabic\)](#)

Under Agenda Item: 25th special session of the Human Rights Council on the deteriorating situation of human rights in the Syrian Arab Republic, and the recent situation in Aleppo

Delivered by: Ms. Lamia Fadla

Full Text of the Oral Intervention:



Mr. Vice-President,

This special session is held to discuss the current humanitarian situation in Aleppo, which has been suffering from a scourge of fighting between the parties of the conflict as a consequence of the continuing international failure to find a final solution to the Syrian crisis.

There has been no humanitarian access to Aleppo for more than a month. This has exacerbated the humanitarian crisis in the city, which is exposed to an escalating level of violence since the beginning of the fighting. In this regard, we have denounced the continuous shelling of civilian areas and the targeting of public infrastructures, including schools and other educational facilities, as well as, the excessive use of indiscriminate weapons. This has indeed resulted in massacres of women, children, and the elderly and almost entirely ended life in the city. The brutal aerial shelling of hospitals along with the blockade of the few remaining medical supplies is also of grave concern. Furthermore, we condemn the attacks against humanitarian convoys, obstructing and preventing the entry of basic goods to the besieged areas, in clear violation of all international resolutions concerning the improvement of the humanitarian situation in Syria.

Even though in the whole scheme of its responsibility to protect, the international community has to move from words to action, we still hope to come out of this session with a unified position. This shall contribute in finding a solution to the humanitarian crisis and saving the lives of hundreds of thousands of civilians trapped in the eastern and western sides of the city, languishing under fire and massive destruction, which is almost wiping Aleppo off the map.

We are facing the largest humanitarian catastrophe of the year. In light of the urgent need for medical evacuation of the sick and wounded, and the delivery of food aid to the hundreds of thousands of people trapped in the city, we call for an immediate intervention. Putting an end to this suffering will not be achieved through international organizations or special sessions and reports. Nevertheless, we hope that this session will reach a unified decision to put an end to the escalating deterioration of the situation so as to help to free civilians from the east and west parts of Aleppo. The civilians of Aleppo and other Syrian cities need protection. All parties to the conflict must be pressured to stop immediately and unconditionally the indiscriminate shelling. Given the necessity to evacuate the injured, we urge the belligerents to respect international humanitarian law, as well as, provide safe corridors and roads for the delivery of humanitarian aid in order to save lives. We also hope that the international community will be able to work harmoniously to find a political solution and end the conflict in Syria in order to restore peace and security.

Action on L.1: The deteriorating situation in the Syrian Arab Republic, and the recent situation in Aleppo

The resolution L.1 was proposed by several states, including Albania, Australia, Belgium, Croatia, Ireland, Lithuania, Norway, Poland, Qatar, Saudi Arabia, Ukraine, UK and US, and, among others, calls on an immediate ceasefire, the unconditional granting of humanitarian relief, and accountability for those responsible for war crimes and crimes against humanity.

UK, which introduced it on behalf of the sponsors, explained that what brought to the formulation of this resolution is the dramatic intensity and escalation of the conflict.

Russia, in these regards, proposed five oral amendments, because, according to the country, the resolution did not take into account the responsibilities of terrorist groups and neither condemned their actions. The country stressed that the resolution was highly unbalanced and that voting against the amendments would translate in deliberately supporting the crimes of the terrorist groups operating in Syria. This was opposed by the sponsors who reiterated that there is large condemnation for terrorist groups in the resolution and believed that the amendments were a clear strategy to divert attention away from the responsibility of the Syrian government and its allies. Furthermore, the amendments gave the impression that fighting terrorism can justify harming civilians.

Among those who criticized the resolution, there were also Venezuela, which stated that the text was highly unbalanced, Paraguay, which accused it of being too political, and Ecuador, which felt that the resolution was not impartial.

Each amendment was then voted for and finally rejected, while the resolution was adopted with 24 votes in favor, 7 against and 16 abstentions.

