

the recruitment and use of children in hostilities and the targeting of civilians. Government forces disregarded the special protection accorded to hospitals and medical and humanitarian personnel; carried out indiscriminate and disproportionate aerial bombardment and shelling to spread terror; and used chlorine gas, an illegal weapon. Non-State armed groups, named in the report, committed massacres and war crimes, including murder, execution without due process, torture, hostage-taking, enforced disappearance, rape and sexual violence, the recruitment and use of children in hostilities and attacks on protected objects. Armed groups besieged and shelled civilian neighbourhoods, and members of the Islamic State in Iraq and Al-Sham (ISIS) committed torture, murder, enforced disappearance and forcible displacement as part of an attack on the civilian population in Aleppo and Ar Raqqah governorates. The commission concluded with a series of recommendations aimed at urgently finding a political settlement to the war.

Human Rights Council action. On 25 September [A/69/53/Add.1 (res. 27/16)], by a recorded vote of 32 to 5, with 10 abstentions, the Human Rights Council demanded that the Syrian authorities cooperate fully with the commission and meet their responsibilities to protect the Syrian population. The Council condemned all violations and abuses of international human rights and humanitarian law committed against the civilian population; the reports of the widespread use of sexual violence in government detention centres, including those run by intelligence agencies; practices including abduction, hostage-taking, incommunicado detention, torture and killings carried out by non-State armed groups, most notably Islamic State; the intervention in Syria of all foreign terrorist fighters and those foreign combatants fighting on behalf of the regime; the arbitrary arrest, detention, ill-treatment and torture of children by government forces for their, or their relatives', alleged support of opposition groups; the use of chemical weapons and all indiscriminate methods of warfare; and the intentional denial of humanitarian assistance to civilians and in particular the Syrian authorities' denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, stressing that the starvation of civilians as a method of combat was prohibited under international law. It expressed concern at reports from the commission of inquiry on the suffering and torture in detention centres throughout Syria, including on prisoners in government facilities being held in dire conditions, denied medical assistance and food and subjected to torture; at the allegations of torture in detention facilities controlled by non-State armed groups; and at the abduction, incommunicado detention and torture of human rights defenders by Syrian authorities and armed opposition groups. The Council called for international monitoring bodies to be granted access

to detainees in government prisons and detention centres; demanded that all armed groups halt the arbitrary detention of civilians; and demanded that the Syrian authorities end incommunicado detention. The Council also emphasized the need to ensure that all those responsible for violations were held to account, and decided to transmit all reports and oral updates of the commission of inquiry to all relevant bodies of the United Nations, including the General Assembly and the Secretary-General for appropriate action.

Communications. On 17 January [A/HRC/25/G/3], Syria transmitted to the Human Rights Council its response to the 2013 thematic report of the independent international commission of inquiry on the Syrian Arab Republic, entitled "Without a trace: enforced disappearances in Syria".

GENERAL ASSEMBLY ACTION

On 18 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/69/488/Add.3], adopted **resolution 69/189** by recorded vote (127-13-48) [agenda item 68 (e)].

Situation of human rights in the Syrian Arab Republic

The General Assembly,

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 Covenants on Human Rights,

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

Recalling its resolutions 66/176 of 19 December 2011, 66/253 A of 16 February 2012, 66/253 B of 3 August 2012, 67/183 of 20 December 2012 and 67/262 of 15 May 2013, Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 23 August 2011, S-18/1 of 2 December 2011, 19/1 of 1 March 2012, 19/22 of 23 March 2012, S-19/1 of 1 June 2012, 20/22 of 6 July 2012, 21/26 of 28 September 2012, 22/24 of 22 March 2013, 23/1 of 29 May 2013, 23/26 of 14 June 2013, 24/22 of 27 September 2013, 25/23 of 28 March 2014, 26/23 of 27 June 2014 and 27/16 of 25 September 2014 and Security Council resolutions 2042(2012) of 14 April 2012, 2043(2012) of 21 April 2012, 2118(2013) of 27 September 2013, 2139(2014) of 22 February 2014, 2165(2014) of 14 July 2014, 2170(2014) of 15 August 2014 and 2178(2014) of 24 September 2014 and the statements by the President of the Council of 3 August 2011 and 2 October 2013,

Condemning the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that may foment sectarian tensions,

Noting with concern the culture of impunity for serious violations of international humanitarian law and violations and abuses of human rights law committed during the present conflict, which has provided a fertile ground for further violations and abuses,

Recalling that, amid expressions of popular discontent over restrictions on the enjoyment of civil, political, economic and social rights, civilian protests erupted in Dar'a in March 2011, and noting that the excessive and violent oppression of civilian protests by the Syrian authorities, which later escalated to the direct shelling of civilian population areas, fuelled the escalation of armed violence and extremist groups,

Expressing outrage at the continuing escalation of violence in the Syrian Arab Republic, which has caused more than 191,000 fatalities, and in particular at the continued widespread and systematic gross violations, as well as abuses, of human rights and violations of international humanitarian law, including those involving the continued use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles, cluster munitions, barrel and vacuum bombs, and chlorine gas, and starvation of civilians as a method of combat by the Syrian authorities against the Syrian population,

Expressing grave concern at the disproportionate use of force by the Syrian authorities against civilians, which has caused immense human suffering and fomented the spread of extremism and extremist groups and which demonstrates the failure of the Syrian authorities to protect the Syrian population and to implement the relevant resolutions and decisions of United Nations bodies,

Expressing grave concern also at the spread of extremism and extremist groups, terrorism and terrorist groups, and strongly condemning all violations and abuses of human rights and violations of international humanitarian law committed in the Syrian Arab Republic by any party to the conflict, in particular the so-called Islamic State in Iraq and the Levant, militias fighting on behalf of the regime, Al-Qaida-affiliated terrorist groups and other extremist groups,

Expressing support for the work carried out by the Independent International Commission of Inquiry on the Syrian Arab Republic, and strongly condemning the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Recalling the statements made by the Secretary-General, the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, noting the repeated encouragement by the High Commissioner for the Security Council to refer the situation to the International Criminal Court, and regretting that a draft resolution was not adopted despite broad support from Member States,

Expressing its deepest concern about the findings of the Commission of Inquiry and also the allegations contained in the evidence presented by "Caesar" in January 2014 regarding the torture and execution of persons incarcerated by the Syrian authorities, and underlining the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

Welcoming Security Council resolutions 2139(2014) and 2165(2014) and expressing grave concern that implementation remains largely unfulfilled, and noting the urgent need to strengthen efforts to address the humanitarian situation in the Syrian Arab Republic, including through protection of civilians and rapid, safe and unhindered humanitarian access,

Recalling its commitment to Security Council resolutions 2170(2014) and 2178(2014),

Expressing deep concern at the more than 3 million refugees who have been forced to flee the Syrian Arab Republic, of whom more than 750,000 are women and more than 1.5 million are children, and at the 10.8 million people in the Syrian Arab Republic requiring urgent humanitarian assistance, of whom 6.45 million are internally displaced, as well as at the impact of the influx of Syrian refugees into neighbouring countries and other countries in the region, and at the risk the situation presents to regional stability,

Expressing its profound indignation at the death of well over 10,000 children and the many more injured since March 2011,

Expressing its deep appreciation for the significant efforts that have been made by neighbouring countries and other countries in the region to accommodate Syrian refugees, while acknowledging the increasing political, socio-economic and financial impact of the presence of large-scale refugee populations in those countries, notably in Lebanon, Jordan, Turkey, Iraq, Egypt and Libya,

Welcoming the hosting by the Government of Kuwait of the First and Second International Humanitarian Pledging Conferences for Syria on 30 January 2013 and 15 January 2014, and expressing its deep appreciation for the significant pledges of humanitarian assistance that have been made,

Welcoming also the efforts of the United Nations and the League of Arab States and all diplomatic efforts to achieve a political solution to the Syrian crisis based on the final communiqué of the Action Group for Syria (Geneva communiqué) of 30 June 2012, and welcoming further the appointment of Mr. Staffan de Mistura as Special Envoy of the Secretary-General for Syria and expressing its full support for his mission,

Expressing its regret that the parties to the conflict in the Syrian Arab Republic, in particular the Syrian authorities, have failed to take advantage of the opportunities to achieve a political solution and form a transitional government with full executive powers based on the Geneva communiqué,

1. *Strongly condemns* all violations and abuses of international human rights law and all violations of international humanitarian law committed against the civilian population, in particular all indiscriminate attacks, including those involving the use of barrel bombs against civilian populated areas and civilian infrastructure, and demands that all parties immediately demilitarize medical facilities and schools and comply with their obligations under international law;

2. *Deplores and condemns in the strongest terms* the continued armed violence by the Syrian authorities against the Syrian people since the beginning of the peaceful protests in 2011, and demands that the Syrian authorities immediately put an end to all indiscriminate attacks on civilian areas and public spaces, including those involving the use of terror tactics, airstrikes, barrel and vacuum bombs, chemical weapons and heavy artillery;

3. *Also deplores and condemns in the strongest terms* the continued widespread and systematic gross violations of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian authorities and the Government-affiliated *shabbiha* militias, including

those involving the use of heavy weapons, aerial bombardments, cluster munitions, ballistic missiles, barrel bombs, chemical weapons and other force against civilians, including starvation of the civilian population as a method of combat, attacks on schools, hospitals and places of worship, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, violations of women's and children's rights, unlawful interference with access to medical treatment, failure to respect and protect medical personnel, torture, systemic sexual and gender-based violence, including rape in detention, and ill-treatment, and further strongly condemns all human rights abuses or violations of international humanitarian law by armed extremists, as well as any human rights abuses or violations of international humanitarian law by armed anti-Government groups;

4. *Further deplors and condemns in the strongest terms* the terrorist acts and violence committed against civilians by the Islamic State in Iraq and the Levant, its violent extremist ideology and its continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of the Islamic State in Iraq and the Levant, cannot and should not be associated with any religion, nationality or civilization;

5. *Reminds* the Government of the Syrian Arab Republic of the obligations of the Syrian Arab Republic under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, including to take effective measures to prevent acts of torture in any territory under its jurisdiction, and calls upon all States parties to the Convention to comply with any relevant obligations, including with respect to the extradite or prosecute principle contained in article 7 of the Convention;

6. *Strongly condemns* the reported persistent and widespread use of sexual violence, abuse and exploitation, including in government detention centres, including those run by the intelligence agencies, and notes that such acts may constitute violations of international humanitarian law and international human rights law, and in this regard expresses deep concern at the prevailing climate of impunity for sexual violence crimes;

7. *Also strongly condemns* all violations and abuses committed against children in contravention of applicable international law, such as their recruitment and use, killing and maiming, rape and all other forms of sexual violence, attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill-treatment and their use as human shields;

8. *Recalls* the statement made by the Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic on 16 September 2014 that the Syrian authorities remain responsible for the majority of the civilian casualties, killing and maiming scores of civilians daily, and decides to transmit the reports of the Commission of Inquiry to the Security Council;

9. *Reaffirms* the Syrian authorities' responsibility for enforced disappearances, and takes note of the assessment of the Commission of Inquiry that the Syrian authorities' use of enforced disappearances amounts to a crime against humanity, and condemns the targeted disappearances of young men following Government-brokered ceasefires;

10. *Demands* that the Syrian authorities cooperate fully with the Commission of Inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

11. *Also demands* that the Syrian authorities meet their responsibilities to protect the Syrian population;

12. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian regime, particularly militia groups such as Hizbullah, Asa'ib Ahl al-Haq and Liwa' Abu al-Fadl al-Abbas, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

13. *Demands* that all foreign terrorist fighters, including those who are fighting in support of the Syrian authorities, immediately withdraw from the Syrian Arab Republic;

14. *Also demands* that all parties immediately put an end to all violations and abuses of international human rights law and international humanitarian law, recalls, in particular, the obligation under international humanitarian law to distinguish between civilian populations and combatants and the prohibition against indiscriminate and disproportionate attacks and all attacks against civilians and civilian objects, further demands that all parties to the conflict take all appropriate steps to protect civilians, including by desisting from attacks directed against civilian objects, such as medical centres, schools and water stations, immediately demilitarize such facilities, avoid establishing military positions in populated areas and enable the evacuation of the wounded and all civilians who wish to do so from besieged areas, and recalls in this regard that the Syrian authorities bear primary responsibility for protecting the population;

15. *Strongly condemns* practices including abduction, hostage-taking, incommunicado detention, torture, brutal murder of innocent civilians and summary executions carried out by non-State armed groups and terrorist groups, most notably the Islamic State in Iraq and the Levant and al-Nusra Front, and underlines that such acts may amount to crimes against humanity;

16. *Deplors* the suffering and torture in detention centres throughout the Syrian Arab Republic as depicted in the reports of the Commission of Inquiry and the Office of the United Nations High Commissioner for Human Rights, demands that the Syrian authorities immediately release all persons arbitrarily detained, including the members of the Syrian Centre for Media and Freedom of Expression, and ensure that detention conditions are consistent with international law, and calls upon the Syrian authorities to publish a list of all detention facilities;

17. *Demands* that the Syrian authorities, the Islamic State in Iraq and the Levant, al-Nusra Front, and all other groups halt the arbitrary detention of civilians and release all civilians detained;

18. *Calls for* the appropriate international monitoring bodies to be granted access to detainees in government prisons and detention centres, including the military facilities referred to in the reports of the Commission of Inquiry;

19. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab

Republic, which is prohibited under international law, and notes with grave concern the Commission of Inquiry's findings that the Syrian authorities have repeatedly used chlorine gas as an illegal weapon, which constitutes a violation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and is prohibited under international law;

20. *Demands* that the Syrian Arab Republic respect fully its obligations under the Chemical Weapons Convention, the decision of 27 September 2013 of the Executive Council of the Organization for the Prohibition of Chemical Weapons and Security Council resolution 2118(2013) requiring it to declare its programme in full and eliminate it in its entirety, and strongly urges the Syrian Arab Republic to provide full cooperation to the fact-finding mission of the Organization for the Prohibition of Chemical Weapons looking at the allegations of the use of chlorine as a weapon of war and to the declaration assessment team working to verify the chemical weapon declarations of the Syrian Arab Republic and seeking to clarify the gaps and discrepancies discovered therein;

21. *Also demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect the Syrian population lies with the Syrian authorities;

22. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate fair and independent, national or international, criminal justice mechanisms in accordance with the principle of complementarity, and stresses the need to pursue practical steps towards this goal, and for this reason encourages the Security Council to take appropriate action to ensure accountability, noting the important role that the International Criminal Court can play in this regard;

23. *Strongly condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, in particular the denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, which has recently worsened, stressing that the starvation of civilians as a method of combat is prohibited under international law and noting especially the primary responsibility of the Government of the Syrian Arab Republic in this regard, and deplores the deteriorating humanitarian situation;

24. *Reaffirms its commitment* to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, with the full and effective participation of women, and where there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, and urges those countries with influence over the Syrian parties, in particular over the Government of the Syrian Arab Republic, to take all measures to encourage the parties to the conflict to negotiate constructively and on the basis of the call made in the Geneva communiqué for the formation of a transitional governing body with full executive powers;

25. *Urges* the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

26. *Calls upon* all members of the international community, including all donors, to fulfil their previous pledges and continue to provide much-needed support to the United Nations, the specialized agencies and other humanitarian actors to provide humanitarian assistance to the millions of Syrians displaced both internally and in host countries;

27. *Urges* all Syrian parties to the conflict to take all appropriate steps to ensure the safety and security of United Nations and associated personnel, personnel of the specialized agencies and all other personnel engaged in humanitarian relief activities as required by international humanitarian law, without prejudice to their freedom of movement and access, stresses the need not to impede or hinder those efforts, recalls that attacks on humanitarian workers may amount to war crimes, and notes in this regard that the Security Council affirmed in its resolution 2165(2014) that it will take further measures in the event of non-compliance with resolutions 2139(2014) or 2165(2014) by any Syrian party.

RECORDED VOTE ON RESOLUTION 69/189:

In favour: Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cameroon, Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Vanuatu, Yemen.

Against: Belarus, Bolivia, China, Cuba, Democratic People's Republic of Korea, Ecuador, Iran, Nicaragua, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela, Zimbabwe.

Abstaining: Algeria, Angola, Antigua and Barbuda, Armenia, Bangladesh, Bhutan, Brunei Darussalam, Chad, Congo, Democratic Republic of the Congo, El Salvador, Eritrea, Ethiopia, Fiji, Guyana, India, Iraq, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Mali, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Tajikistan, Togo, Tonga, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

Territories occupied by Israel

In 2014, the Human Rights Council addressed cases of human rights violations in the territories occupied by Israel following the 1967 hostilities in the Middle East. Political and other issues in the region were considered by the Security Council, the General

Assembly, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Committee on Israeli Practices) and other bodies (see PART ONE, Chapter VI).

Report of High Commissioner. In a January report [A/HRC/25/39] submitted pursuant to Council resolution 22/29 [YUN 2013, p. 763], the High Commissioner provided information on the status of implementation of the recommendations contained in the report of the independent international fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem [YUN 2012, p. 765], and addressed continued Israeli settlement activity, settler violence and accountability, Palestinian detainees, including children in Israeli custody, as well as business and human rights in relation to the settlements. The report also included summaries of the submissions received from Member States.

Report of Special Rapporteur. In a January report [A/HRC/25/67], the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk (United States), addressed Israeli settlements in the West Bank, including East Jerusalem, and the wall in the context of the tenth anniversary of the 2004 advisory opinion of the International Court of Justice [YUN 2004, p. 465], and considered the policies and practices of Israel in occupied Palestine in light of the prohibition on segregation and apartheid. He also addressed concerns in relation to the deterioration of the human rights situation of Palestinians living under the Israeli blockade in the Gaza Strip. The Special Rapporteur recommended that Palestinian rights be fully respected in attempts to reach a peaceful and just resolution of the conflict between the two peoples. He recommended that the General Assembly request the International Court of Justice to issue an advisory opinion on the legal status of the prolonged occupation of Palestine, and that the Human Rights Council appoint an expert group to propose a special protocol to the Fourth Geneva Convention of 1949 with the purpose of proposing a legal regime for any occupation that lasts for more than five years. The international community should investigate the business activities of companies and financial institutions registered in their own respective countries, which profit from the settlements of Israel and other unlawful Israeli activities, and take appropriate action to end such practices and ensure appropriate reparation for affected Palestinians; and the Government of Israel should cease expanding and creating settlements in occupied Palestine, start dismantling existing settlements and returning its citizens to the Israeli side of the Green Line, lift the unlawful blockade of Gaza, cease military in-

cursions, allow Gazans to benefit from their natural resources situated within their borders or off the coast of Gaza and take account of the deepening emergency in Gaza. He recommended that the Human Rights Council pay increased attention to the failure by Israel to cooperate with the normal functioning of the United Nations by way of the Special Rapporteur and to the protection of Special Rapporteurs from defamatory attacks diverting attention from issues integral to the mandate.

Human Rights Council actions. On 28 March [A/69/53 (res. 25/27)], by a recorded vote of 46 to 1, with no abstentions, the Human Rights Council reaffirmed its support for the solution of two States, Palestine and Israel, living side by side in peace and security; and the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom, justice and dignity, and to establish their sovereign, independent, democratic and viable contiguous State. It stressed the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem; confirmed that the right of the Palestinian people to permanent sovereignty over their natural wealth and resources must be used in the interest of their national development, the well-being of the Palestinian people and as part of the realization of their right to self-determination; urged all Member States and relevant bodies to support and assist the Palestinian people in the early realization of their right to self-determination; and decided to continue the consideration of the question at its twenty-eighth (2015) session.

On the same date [res. 25/29], by a recorded vote of 46 to 1, with no abstentions, the Council stressed the need for Israel to withdraw from the Palestinian Territory to enable the Palestinian people to exercise the universally recognized right to self-determination, and reiterated the need for respect for the territorial unity, contiguity and integrity of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within that territory, including movement into and from East Jerusalem, into and from the Gaza Strip, between the West Bank and the Gaza Strip, and to and from the outside world. It demanded that Israel comply with the provisions of the Fourth Geneva Convention and cease all measures and actions taken in violation of that Convention; cease all practices and actions that violated the human rights of the Palestinian people; cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip; cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory; and comply with its legal obligations under international law.

The Council expressed concern at the confiscation and damage by Israel of fishing nets in the Gaza Strip; the conditions of the Palestinian prisoners and detainees in Israeli jails and detention centres; the restrictions imposed by Israel that impeded the access of Christian and Muslim worshippers to holy sites; and the Citizenship and Entry into Israel Law adopted by the Knesset, which suspended the possibility, with certain rare exceptions, of family reunification between an Israeli citizen and a person residing in the Occupied Palestinian Territory. It condemned the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip, and in the context of peaceful protests in the West Bank, which resulted in extensive loss of life and vast numbers of injuries; the firing of rockets against Israeli civilian areas; and all acts of violence, including all acts of terror, provocation, incitement and destruction by Israeli settlers. It urged States to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation; and requested the Secretary-General report on the implementation of the resolution at its twenty-eighth (2015) session.

Human Rights Council special session. On 18 July [A/HRC/S-21/1], the Group of Arab States, the Group of African States, the Organization of Islamic Cooperation, the Movement of Non-Aligned Countries and the State of Palestine requested the holding, on 23 July, of a special session of the Human Rights Council to address the human rights situation in the Occupied Palestinian Territory, including East Jerusalem. The request was supported by 17 States Members of the Council and five observer States. The Council held its twenty-first special session on 23 July [A/HRC/S-21/2].

Human Rights Council action. On 23 July [A/69/53 (res. S-21/1)], by a recorded vote of 29 to 1, with 17 abstentions, the Council condemned the widespread, systematic and gross violations of international human rights and fundamental freedoms arising from the Israeli military operation carried out in the Occupied Palestinian Territory since 13 June, particularly the most recent Israeli military assault on the occupied Gaza Strip, by air, land and sea, which involved disproportionate and indiscriminate attacks, including aerial bombardment of civilian areas, the targeting of civilians and civilian properties in collective punishment contrary to international law. It condemned violence against civilians wherever it occurred, including the killing of two Israeli civilians as a result of rocket fire, and urged all parties concerned to respect their obligations under international humanitarian and human rights law; called for an immediate cessation of Israeli military assaults throughout the Occupied Palestinian Territory; and demanded Israel to end its illegal closure of the occupied Gaza Strip.

The Council expressed concern at the rising number of incidents of violence, destruction, harassment, prov-

ocation and incitement by extremist Israeli settlers illegally transferred to the Occupied Palestinian Territory against Palestinian civilians and their properties; and at the condition of Palestinian prisoners and detainees in Israeli jails and detention centres, in particular following the arrest by Israel of more than 1,000 Palestinians since 13 June. It recommended that the Government of Switzerland, in its capacity as depositary of the Fourth Geneva Convention, reconvene the conference of High Contracting Parties to the Convention on measures to enforce the Convention in the Occupied Palestinian Territory; requested that all relevant special procedures mandate holders seek and gather information on all human rights violations in the Occupied Palestinian Territory, including East Jerusalem; and decided to dispatch an independent, international commission of inquiry, to be appointed by the President of the Council, to investigate all violations of international humanitarian and human rights law in the Occupied Palestinian Territory, particularly in the Gaza Strip, in the context of the military operations conducted since 13 June. The Council requested that other relevant UN bodies cooperate with the commission of inquiry to carry out its mission, and also requested the assistance of the Secretary-General and the High Commissioner, including in the provision of administrative, technical and logistical assistance to enable the commission of inquiry and special procedures mandate holders to fulfil their mandates promptly. It further requested the High Commissioner to report on the implementation of the resolution to the Council at its twenty-seventh (2014) session.

Communication. In a letter dated 28 July [A/HRC/S-21/G/1], Israel highlighted its concerns regarding the level of transparency and timeliness observed in the process of organizing the special session of the Human Rights Council.

Reports of Special Rapporteur. In August, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Makarim Wibisono (Indonesia), submitted his first report [A/69/301 & Corr.1], based on consultations held with the relevant States and other stakeholders in Geneva, and outlined his next steps towards the fulfilment of the mandate.

On 18 December (**decision 69/536**), the General Assembly took note of the report.

Reports of High Commissioner. An October report [A/HRC/27/76] of the High Commissioner, submitted pursuant to Human Rights Council resolution S-21/1 (see above), reviewed the status of implementation of that resolution. The report provided an update on the steps taken by the Government of Switzerland to resume consultations on the question of reconvening a conference of the High Contracting Parties to the Fourth Geneva Convention [YUN 1999, p. 415]; outlined the steps taken by OHCHR to support the establishment of the commission of inquiry to

investigate violations of international humanitarian and human rights law in the Occupied Palestinian Territory; contained information on the activities of special procedures mandate holders in relation to their efforts to gather information on all human rights violations in the Occupied Palestinian Territory; and presented preliminary information, covering the period from 12 June to 26 August, gathered by OHCHR on the situation of human rights in the West Bank, including East Jerusalem, and in the Gaza Strip.

The deterioration in the situation in the West Bank, including East Jerusalem, remained a cause for concern. With regard to violations of international humanitarian and human rights law, the actions of the Israeli forces included excessive use of force, including use of live ammunition against unarmed demonstrators; the arrest and detention of hundreds of Palestinians, in violation of fair trial rights; and restrictions on the freedom of movement of Palestinians. Between 1,100 and 1,500 Palestinians were detained, including 27 members of the Palestinian Legislative Council, following the kidnapping of three Israeli youths on 12 June. The bodies of the three youths were discovered on 30 June, followed by the resumption of punitive house demolitions by the Israeli authorities and, on 31 August, the declaration by the Israeli Civil Administration of 988 acres of Palestinian land, south of Bethlehem, as State land, reportedly in response to the kidnapping and murders. Clashes between Palestinians and Israeli Security Forces took place throughout the reporting period and resulted in a high number of killings and injuries, and some actions by the Israeli authorities, especially in the Hebron area, potentially amounted to collective punishment. In Gaza, increased hostilities between Israel and Palestinian armed groups were noted since early June. Preliminary data indicated that as of 9 September, 2,142 Palestinians were killed or died from injuries in the period between 7 July and 26 August. Those casualties included 1,474 civilians, including 501 children and 257 women. According to Israeli media reports, four Israeli civilians, including one child; one foreign civilian; 66 soldiers; and one person of unknown status, were killed during the reporting period. As at 26 August, 18,080 housing units were destroyed, leaving approximately 108,500 people homeless. More than a quarter of the entire population of Gaza—479,000 Palestinians—had been displaced.

In response to Human Rights Council resolutions S-9/1 [YUN 2009, p. 780] and S-12/1 [ibid., pp. 785 & 787], the High Commissioner issued the seventh periodic report [A/HRC/28/80] on the human rights situation in the Occupied Palestinian Territory, covering the period from 9 November 2013 to 31 October 2014, which highlighted issues of concern with regard to each of the main duty bearers in the Territory, namely the Government of Israel, the Palestinian Authority and the authorities in Gaza. With regard to the West Bank, including East Jerusalem, the High Commis-

sioner examined the excessive use of force by Israeli and Palestinian security forces, which resulted in an increase in deaths during the year. With regard to Gaza, he addressed the ongoing blockade and the enforcement of access-restricted areas, noting the hardships and human rights violations those measures created. He drew particular attention to the impact of the blockade on freedom of movement and reconstruction and economic development in Gaza. The High Commissioner recommended that the Government of Israel lift the Gaza blockade in order to halt the ongoing punitive measure against civilians; ensure that the use of force by its security forces in situations other than hostilities was in compliance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; carry out prompt, effective, independent, impartial, thorough and transparent investigations of alleged unlawful killings and injuries of Palestinians, and of allegations of torture and ill-treatment; and halt plans that would result in the forcible transfer of Palestinian Bedouin communities and herders currently residing in Area C of the West Bank.

The Government of the State of Palestine should take measure to protect the rights of persons deprived of their liberty, particularly the rights of physical integrity, to a fair trial and to due process of law; conduct prompt, effective, independent, impartial, thorough and transparent investigations of allegations of torture and ill-treatment, and ensure that perpetrators are brought to justice; either charge and bring to trial or release all detainees under the governor orders, and end the practice of detention based on governor orders; ensure periodic and effective judicial review of a person's detention in all cases; and take all necessary measures to ensure that perpetrators of all acts involving violence against women, including so-called "honour killings", were prosecuted and appropriately sentenced. Authorities in Gaza should respect international humanitarian law, particularly the principle of distinction, proportionality and precaution, and ensure accountability for violations; take all the necessary measures to ensure that the rights of persons deprived of liberty were respected, including by ensuring effective, independent, impartial, thorough and transparent investigations into allegations of torture and ill-treatment; investigate allegations of summary executions and cases of death of persons in the custody of the authorities; and refrain from unlawful restrictions on the freedoms of expression and peaceful assembly. The High Commissioner also called on Palestinian armed groups in Gaza to respect international humanitarian law, particularly the principles of distinction, proportionality and precaution, and to ensure accountability for violations.

In an addendum to the report [A/HRC/28/80/Add.1], the High Commissioner provided information on the human rights situation in the Occupied Palestinian Territory between 12 June and 26 August, includ-

ing the escalation in hostilities between the State of Israel and Palestinian armed groups in Gaza, the consequences of which would continue to be felt by Palestinians across the Gaza Strip for some time. The High Commissioner concluded that effective accountability was a key means to break the cycle of violence, human rights violations and impunity. Violations in the West Bank, including East Jerusalem, continued to drive the conflict with wider implications for peace and security in the region. The protracted conflict was at a critical juncture, with the heightened tensions emphasising the imperative for an end to the recurrent human rights violations by all parties and to the prolonged occupation, as well as the full realization of the right to self-determination.

Report of Secretary-General. Pursuant to Human Rights Council resolution 25/29 (see above), the Secretary-General submitted a report [A/HRC/28/45] on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, covering the period from 26 May 2013 to 31 October 2014. He presented an analysis of how violations of international human rights law and international humanitarian law and abuses of human rights by all duty bearers drove the conflict and violence, and explained how an end to those violations and abuses was a key component of any enduring peace. The Secretary-General concluded that the human rights situation in the Occupied Palestinian Territory remained of grave concern. The murders of the Israeli teenagers and the Palestinian boy in June and July 2014, and the subsequent security operations in the West Bank, followed by rocket fire and the escalation in Gaza, heightened the already entrenched tensions and divisions that characterized the situation. The settlements in the West Bank, including East Jerusalem, violated international law and ran counter to the two-State solution. They were at the centre of many other human rights violations in the occupied West Bank, and were a source of demonstrations, incidents involving the excessive use of force by Israeli security forces, settler violence and widespread discriminatory policies affecting Palestinians' enjoyment of their human rights. On the Palestinian side, attacks on Israelis provided material for a justification of hard-line measures that reinforced the cycle of violence. The ongoing blockade in Gaza—a collective penalty against the affected population—weakens links between Gaza and the West Bank and should end. Impunity for violations and abuses by all sides reinforced those problems, and for the tension to be diffuse in a meaningful way, all sides must address the human rights dimensions of the conflict.

The Secretary-General recommended that all duty bearers comply fully with international law, including by adequately remedying, and ensuring accountability for, violations and abuses. Obstacles to peace and to Palestinians' enjoyment of their human rights, including their right to self-determination, must be removed, including by ending and reversing set-

tlement activity in the West Bank, including East Jerusalem, lifting the blockade on Gaza and ending the occupation of Palestinian land. At the same time, due consideration should be given to ensuring the legitimate security needs of Israel with due respect for international humanitarian and human rights law. All parties should refrain from unilateral actions that exacerbate tensions and resentment, and promote an environment conducive to peace, mutual understanding and respect for human rights.

Occupied Syrian Golan

Human Rights Council actions. On 28 March [A/69/53 (res. 25/31)], by a recorded vote of 33 to 1, with 13 abstentions, the Council called on Israel to comply with UN resolutions on the occupied Syrian Golan, and to desist from the continuous building of settlements and from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan. The Council emphasized that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and recover their property. It further called on Israel to desist from imposing Israeli citizenship and identity cards on the Syrian citizens in the occupied Syrian Golan and from its repressive measures against them. Israel should release the Syrian detainees in Israeli prisons, some of whom had been detained for more than 27 years, and to treat them in conformity with international humanitarian law; and allow delegates of the International Committee of the Red Cross to visit Syrian prisoners of conscience and detainees in Israeli prisons accompanied by specialized physicians to assess the state of their physical and mental health and to protect their lives. The Council requested that the Secretary-General bring the resolution to the attention of all Governments, UN organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations to disseminate it as widely as possible and to report on the matter at its twenty-eighth (2015) session.

On 28 March [res. 25/28], by a recorded vote of 46 to 1, with no abstentions, the Council condemned the continued settlement and related activities by Israel, including the expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property and the construction of bypass roads, which changed the physical character and demographic composition of the occupied territories, including the occupied Syrian Golan, and constituted a violation of the Fourth Geneva Convention; called on Israel to reverse the settlement policy in the occupied territories and to end all human rights violations linked to the presence of settlements, especially the right to self-determination; demanded

that Israel comply fully with its legal obligations; and requested the Secretary-General to report to the Council on the implementation of the resolution at its twenty-eighth (2015) session. The Council also requested that all parties implement the recommendations in the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory [YUN 2012, p. 765], and requested the High Commissioner to report to the Council at its twenty-eighth (2015) session on the status of implementation of those recommendations (see below).

Reports of Secretary-General. Pursuant to Council resolution 25/31 (see above), the Secretary-General submitted a report [A/HRC/28/46] on the implementation of that resolution. The Secretary-General indicated that OHCHR, on 3 September, had addressed notes verbales to the Government of Israel and to the Governments of Member States that requested information on steps taken or envisaged to be taken concerning the implementation of resolution 25/31. No reply was received from Israel. Replies from Cuba (15 September), Denmark (17 September) and the Syrian Arab Republic (16 October) were summarized in the report.

Pursuant to Council resolution 25/28 (see above), the Secretary-General submitted a report [A/HRC/28/44] on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which covered the period from 1 November to 31 October. The report analysed the impact of Israeli settlements and settler violence on the human rights of Palestinians, and addressed the issues related to Israeli settlements in the occupied Syrian Golan, including the exploitation of natural resources. The Secretary-General concluded that Israel continued to fail to comply with its international obligation to protect the Palestinian population from violent acts committed by Israeli settlers, and to effectively prevent, and ensure accountability for, such violence. Israeli policies and practices regarding access to Palestinian land had a negative impact on the rights of Palestinians, in particular their rights to an adequate standard of living and to work.

He recommended that Israel cease all settlement activity in the West Bank and East Jerusalem, as well as in the occupied Syrian Golan; implement the relevant UN resolutions; withdraw from the territories occupied since 1967; and cease the exploitation of natural resources from those territories.

Follow-up to the 2012 fact-finding mission on the implications of Israeli settlements on Palestinian rights

Report of High Commissioner. Pursuant to Human Rights Council resolution 25/28 (see above), the High Commissioner submitted a report [A/HRC/28/43 & Corr.1] on the status of implementation of the recommendations contained in the report of the independent international fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem [YUN 2012, p. 765]. The High Commissioner addressed the continued Israeli settlement activity; settler violence and accountability; Palestinian detainees, including children in Israeli custody; and business and human rights in relations to the settlements. The report also reflected submissions received from Member States on the status of implementation of the recommendations contained in the report of the fact-finding mission.

Follow-up to the 2009 Fact-Finding Mission on the Gaza Conflict

Human Rights Council action. On 28 March [A/69/53 (res. 25/30)], by a recorded vote of 46 to 1, with no abstentions, the Council renewed its recommendation that the General Assembly remain apprised of the Independent International Fact-Finding Mission on the Gaza Conflict until it was satisfied that appropriate action with regard to implementing the recommendations contained in report [YUN 2009, p. 783] of the Fact-Finding Mission was taken at the domestic or international level in order to ensure justice for victims and accountability for perpetrators, and to remain ready to consider whether additional action within its powers was required in the interests of justice.