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The situation in Syria

Report¹

Committee on Political Affairs and Democracy
Rapporteur: Mr Pietro MARCENARO, Italy, Socialist Group

Summary

The report firmly condemns the widespread, systematic and gross human rights violations amounting to crimes against humanity committed by Syrian military and security forces. It equally condemns the human rights violations committed by armed groups combating the regime.

It notes that, following the international community's failure, for more than a year, to agree on action on Syria, today a common position is gradually emerging. Regretting the continuing violations of the ceasefire and the increasing number of deaths, the report underlines that Kofi Annan's peace plan should be given every chance of success in order to avoid fully fledged civil war. Its implementation and the total cessation of violence should ultimately guarantee the creation of a space where democratic changes can be brought about in Syria in a peaceful manner through a "Syrian-led political process" and eventually free and fair elections.

The ethnic, cultural and religious diversity of Syria, together with its territorial integrity, must also be preserved in a future post-Assad Syria. Building this new Syria will require the active engagement of all parts of Syrian society in a sincere effort of pacification and reconstruction after a dramatic year of division and violence.

1. Reference to committee: Urgent debate, Reference 3849 of 23 April 2012.

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A. Draft resolution²

1. The Parliamentary Assembly is appalled by the situation in Syria, where, in the last thirteen months, more than 11 000 persons have been killed, tens of thousands have fled the country and hundreds of thousands are internally displaced, as a direct result of the brutal repression by the Syrian autocratic leadership of an uprising with democratic aspirations.
2. The Assembly firmly condemns the widespread, systematic and gross human rights violations amounting to crimes against humanity committed by Syrian military and security forces such as: the use of force against civilians, arbitrary executions, the killing and persecution of protesters, enforced disappearances, torture and sexual violence, including of and against children. It equally condemns the human rights violations committed by some of the armed groups combating the regime.
3. The Assembly reiterates that there can be no impunity for those who commit crimes against humanity, whoever they are. All allegations of violations and crimes must be properly investigated and their perpetrators brought to justice, including, as appropriate, before the International Criminal Court.
4. Following the international community's failure, for more than a year, to agree on action on Syria, the Assembly notes that, today, a common position is gradually emerging: two resolutions were unanimously adopted by the United Nations Security Council on 14 and 21 April 2012 authorising the deployment of United Nations unarmed military observers to Syria to report on the implementation of a full cessation of armed violence. This emerging unity can at last constitute the basis for effective action by the international community in a situation, the emergency and gravity of which cannot accommodate individual countries' geopolitical considerations.
5. The Assembly fully supports the six-point peace plan proposed by the joint envoy of the United Nations and the League of Arab States, Mr Kofi Annan, and calls for its full implementation by all parties to the conflict. Although violence levels have dropped markedly since the ceasefire began on 12 April, the Assembly regrets the continuing violations of the ceasefire and the increasing number of deaths. It calls for the immediate withdrawal of government troops and weapons from population centres.
6. Kofi Annan's peace plan should be given every chance of success in order to avoid fully fledged civil war. The Assembly thus welcomes the deployment of United Nations observers on the ground and calls on the Syrian authorities and the international community to ensure that observers are granted full freedom of movement and access to the whole territory of the country, as well as all the means necessary to monitor respect both of the ceasefire and of the right to demonstrate peacefully.
7. The Assembly stresses, however, that Kofi Annan's peace plan is not solely about establishing a UN-supervised ceasefire and ensuring urgently needed humanitarian assistance. Its implementation and the total cessation of violence should ultimately guarantee the creation of a space where democratic changes can be brought about in Syria in a peaceful manner. The conditions should thus be gradually created to allow for a "Syrian-led political process", as advocated by the peace plan, and eventually for free and fair elections. The Syrian people should be free to build their own future. To facilitate this objective, the Assembly calls on the United Nations Security Council to urgently put in place an embargo on the importation of all weapons and supporting material into Syria.
8. The member States of the Council of Europe should deploy every effort to ensure respect of the agreed peace plan, including sanctions agreed by the European Union, the Arab League and some individual States, the implementation of which is being co-ordinated by the Group of Friends of the Syrian people. The Assembly emphasises that these are directed not against the Syrian people but against individuals and institutions associated with the repression or supporting or benefitting from the regime.
9. The dictatorship which has oppressed the Syrian people for decades has no future. It is impossible to anticipate how much time it will take and how much more suffering it will cause, but it seems clear that Assad's regime is coming to an end. This puts a heavy responsibility on both the international community and the domestic opposition.

2. Draft resolution adopted unanimously by the committee on 24 April 2012.

10. The Syrian population is a mosaic of ethnic, cultural and religious groups and this diversity, together with the territorial integrity of Syria, must be preserved in a future post-Assad Syria. The Assembly calls on the various groups of domestic opposition to unite in order to be considered as a legitimate alternative offering all Syrian citizens, irrespective of their ethnic origin, culture or religion, the prospect of a peaceful, democratic and pluralist Syria.

11. The Assembly underlines that respect for human rights, the recognition of ethnic, cultural and religious minorities and the choice in favour of dialogue and democracy are not mere declarations of principle but the prerequisites for uniting and strengthening the opposition. The latter is currently divided due to lack of clarity on these fundamental principles and the ensuing fear, among various minority groups, of a change which they perceive as a threat.

12. The Assembly therefore insists that human rights must be respected now and any violations, also on the side of the opposition, must be firmly denounced and stopped so as to give credible evidence that human and minority rights will be effectively respected in a new Syria. Building this new Syria will require the active engagement of all parts of Syrian society in a sincere effort of pacification and reconstruction after a dramatic year of division and violence.

13. The Assembly supports all efforts, both at international and domestic level, to help build a new, democratic and pluralist Syria, respectful of human rights and the rights of ethnic, cultural and religious minorities. It appeals to the international community to support initiatives aimed at uniting the opposition with a view to bringing about democratic change in Syria. It urges caution vis-à-vis those forces which, because of specific geopolitical interests or for sectarian reasons – in Syria as in other countries of the Arab Spring – are providing political and financial support to extremist groups.

14. As an immediate priority, with one and a half million people in need of urgent humanitarian assistance, the Assembly urges the provision of unhindered humanitarian assistance to the wounded, the refugees, the displaced persons and all those in need. Humanitarian supplies and services must be made available under conditions which protect civilians and aid workers.

15. The Assembly calls on the Council of Europe member States to respond positively to the appeals launched by the relevant agencies of the United Nations in order to address the humanitarian needs of the tens of thousands refugees fleeing from Syria into Turkey, Lebanon, Iraq and Jordan, as well as of the estimated one million and a half people affected by the crisis in Syria itself.

B. Explanatory memorandum by Mr Marcenaro, rapporteur

1. Introduction

1. Since 1963, Syria, a country of major geostrategic importance in the Middle East, has been ruled by an autocratic regime based on the Alawi community, the Baath party, and, since 1970, the Assad family. A state of emergency and martial law have been in force for almost 50 years. Ironically, in April 2011, a law was passed to lift the state of emergency but had no effect in practical terms. Repression and corruption are widespread.

2. In March 2011, the “Arab Spring” reached Syria, when activists demonstrated against the Assad regime in the southern town of Deraa. Protests were violently repressed by the authorities and the first deaths were reported. Since then, protests have spread throughout the country, and have been met with increasing violence: to date, more than 11 000 persons have been killed. According to the United Nations High Commissioner for Refugees (UNHCR) estimates, some 55 000³ have fled the country to the neighbouring countries of Turkey, Lebanon, Jordan and Iraq, putting governments and host communities under increasing pressure. Another 230 000 are internally displaced. The government keeps claiming that it is fighting against groups of terrorists.

3. The humanitarian situation is dire, among accusations of human rights violations by both sides.⁴ At the beginning of March 2012, the Syrian authorities prevented for several days the UN Humanitarian Chief, Valerie Amos, from entering the country and the International Committee of the Red Cross from entering the Baba Amr district in the city of Homs, which was devastated by a humanitarian disaster.

2. The Syrian society and the position of minorities following the uprising

4. Syria is home to a wide and diverse range of ethnic and religious minorities. The Syrian population – estimated at around 23 million – is composed of 90% Arabs, 9% Kurds and 1% Armenians, Assyrians and others. From a religious point of view, some 74% are Sunni Muslims; some 16% are Muslims other than Sunni, including Alawi (12%) and Druze (3%), and around 10% are Christians.

5. The policy of the Syrian regime vis-à-vis minorities has been marked by the following pattern: on the one hand, it has granted the Christian community guarantees of a peaceful cohabitation and even representation in government structures; on the other hand, it has harshly repressed those minorities, such as for instance Kurds, which, with their claims for self-government, were putting at risk the balance of power. The Sunni majority has been substantially marginalised, whereas the Alawi minority has held the political and military control.

6. Despite initial hesitations, the Kurds positioned themselves relatively quickly against the government, although the positions adopted by the various Kurdish parties vary. Kurdish opposition groups have not joined the Syrian National Council (SNC), the latter being dominated by Sunni Muslims, such as the Muslim Brotherhood. Fifteen Kurdish parties formed, in October 2011, the Syrian Kurdish National Council (KNC), as a separate opposition group, but other Kurdish parties did not join the latter. Several attempts aimed at bringing together the SNC and the KNC in a joint opposition group have failed, precisely because of diverging positions on the issue of the extent of Kurdish autonomy in a future post-Assad Syria. Seemingly, if the two councils were to unite, this could change the course of events.

7. For their part, the Christians and the Druze, fearing that their situation would be worse if the Sunni majority (and the Syrian Muslim Brotherhood) came to power, have hesitated in taking sides. Both communities are divided. Being under-represented within the SNC, many Christians fear that in a post-Assad Syria, they would risk losing the guarantees of religious tolerance they have enjoyed until now. It is also true that the Christian community has already been victim of incidents of religious violence by some extremist Islamists for not having adhered to the revolt, mainly in Homs and in Kusayr. While some Druze religious leaders side with the regime, some Druze activists have joined the SNC.

3. Unofficial records bring this number up to 130 000.

4. See reports by Amnesty International, www.amnesty.org/en/region/syria, by Human Rights Watch www.hrw.org/news/2012/03/20/syria-armed-opposition-groups-committing-abuses, www.hrw.org/reports/2011/06/01/we-ve-never-seen-such-horror and by the FIDH International Federation for Human Rights, www.fidh.org/-/Syria-?id_mot=26.

8. The Alawi, perceived by the other groups as supporters of the regime (which some undoubtedly are), will be particularly vulnerable when the regime finally changes.

3. The Syrian opposition

9. The opposition to the regime of president Bashar al-Assad is not homogenous but rather divided. The SNC is the main umbrella group in exile and has been recognised by the United States of America, the European Union and many Arab States as a legitimate representative of the Syrian people.

10. The Syrian Muslim Brotherhood was established in 1946 and took part in elections between then and 1961. The Baath Party took power in 1963 and the Syrian Muslim Brotherhood was outlawed in 1964. After Bashar al-Assad succeeded his father in 2000, he released some Brotherhood members from prison, some of its leaders were allowed to return to Syria and the Brotherhood became less critical of the regime. It was caught by surprise by the Arab Spring, but soon declared its support for the protesters. In October 2011, the Syrian Muslim Brotherhood joined the SNC.

11. The Free Syrian Army was formed in August 2011 by army deserters. It is based in Turkey and led by Riyad al-Asaad, a former colonel in the air force. In March 2012, five prominent SNC members resigned and formed the Syrian Patriotic Front. They complained that the Muslim Brotherhood exercised too much control over the SNC. The National Coordination Committee for the Forces of Democratic Change is a Syrian opposition bloc chaired by Hassan Abdel Azim consisting of about 13 mostly left-leaning political parties and independent political activists, including three Kurdish political parties, and youth activists. It is largely based in Syria and operates in Syria and abroad.

12. In an effort of co-ordination, factions of the opposition and activists were invited by the chairmanship of the Arab League to a meeting in Istanbul on the eve of the second conference of the Group of Friends of the Syrian People. The SNC and the Syrian Patriotic Front accepted the invitation but the Free Syrian Army and the National Coordination Committee for the Forces for Democratic Change in Syria did not. As said above, similar attempts to bring together the SNC and the Syrian KNC have also failed.

13. Many armed groups do not appear to belong to an organised command structure or to co-ordinate with the SNC or the Free Syrian Army.

14. As, in my opinion, the possibility of outside military intervention is ruled out, it is up to the domestic opposition to reinforce itself and unite so as to be considered as the legitimate representative of the vast majority of the society in a Syrian-led political process.

4. International reactions

4.1. United Nations

15. United Nations Security Council draft resolutions condemning the Syrian violence were vetoed by Russia and China in October 2011 and in March 2012. The first threatened sanctions against the Syrian regime if it did not halt its military crackdown against civilians, while the second called on Mr Assad to stop military action, to "facilitate a political transition" and to hold free elections under the supervision of the Arab League. Russia – and others – has argued that a resolution should be addressed both to the regime and to the opponents. In addition, they claimed that the United Nations resolution authorising the use of force to protect civilians in Libya had been misused by the North Atlantic Treaty Organization (NATO) and expressed concern about a new resolution being used as a pretext for armed intervention in Syria.

16. On 17 February 2012, the UN General Assembly voted (137 against 12 with 17 abstentions) a resolution condemning human rights violations in Syria and calling for an end to the violence.

17. From September to November 2011, a UN Human Rights Council Independent Commission of Inquiry on Syria investigated alleged violations of human rights. A first report presented in November 2011 concluded that "gross violations of human rights have been committed by Syrian military and security forces since the beginning of the protests in March 2011".

18. Based on these findings, Ms Navanethem Pillay, UN High Commissioner for Human Rights, called for urgent action to protect civilians in Syria and said that President al-Assad should be referred to the International Criminal Court.

19. Mr Paulo Sergio Pinheiro, Chairperson of the Independent Commission, presented a second report at the end of February 2012, which indicated that Syrian government forces had committed “widespread, systematic, and gross human rights violations amounting to crimes against humanity”, including the use of force against civilians, arbitrary executions, the killing and persecution of protesters, enforced disappearances, torture and sexual violence, including of, and against, children.⁵

20. A presidential statement adopted by the Security Council on 21 March came to the same conclusions.⁶

21. In March 2012, the UNHCR published the Syria Regional Response Plan and launched an appeal for 84 million dollars to address the needs for protection and assistance of refugees fleeing from Syria into Jordan, Lebanon, Turkey and Iraq. The plan aims to ensure a coherent response to humanitarian needs resulting from the crisis in Syria.

4.2. The League of Arab States

22. In November 2011, the League of Arab States suspended Syria and imposed economic and political sanctions on the country over its failure to stop the violence.

23. A team of observers visited the country at the end of December 2011 and announced a deal in which the Syrian government had agreed to remove tanks from towns, to free political prisoners and to talk to the opposition. These promises, like the previous ones, were not honoured by the regime.

24. In January 2012, the League issued a plan whereby President Assad should put an end to violence and hand over power to his deputy and a national unity government should be formed with the opposition within two months. The plan was rejected by the Syrian authorities.

25. A proposal for a joint Arab League–United Nations peacekeeping mission was categorically rejected by Syria in February.

26. Against this background of repeated refusals by the Syrian regime to comply with calls of the international community to put an end to the violence and while the latter was escalating, the United Nations and the Arab League decided to join efforts. They thus appointed, on 23 February 2012, the former Secretary General of the United Nations, Kofi Annan, as joint special envoy on the Syrian crisis with a mandate to bring an end to the violence and human rights violations and promote a peaceful political solution. Mr Annan was asked to work with parties in and outside Syria to end the violence and the humanitarian crisis and facilitate “a peaceful Syrian-led and inclusive political solution that meets the democratic aspirations of the Syrian people through a comprehensive political dialogue between the Syrian government and the whole spectrum of the Syrian opposition”.

4.3. Kofi Annan’s peace plan

27. Two and a half weeks after his appointment, the special envoy of the United Nations and of the Arab League proposed the following six-point peace plan:

- Syrian-led political process to address the aspirations and concerns of the Syrian people;
- UN-supervised cessation of armed violence in all its forms by all parties to protect civilians;
- All parties to ensure provision of humanitarian assistance to all areas affected by the fighting, and implement a daily two-hour humanitarian pause;
- Authorities to intensify the pace and scale of release of arbitrarily detained persons;
- Authorities to ensure freedom of movement throughout the country for journalists;
- Authorities to respect the freedom of association and the right to demonstrate peacefully.

28. This plan received the support of the international community in general, but also that of the Russian Federation and China, which is one of its main merits. In March 2012, Mr Annan was in Syria, where he spoke with Mr Assad, and, reporting back to the Security Council on 27 March, he announced the acceptance of his plan by the Syrian regime. For the state of implementation of the peace plan, see below.

5. Mr Pinheiro presented the report to the Council of Europe Committee of Ministers on 14 March 2012.

6. See also footnote 4 above.

4.4. European Union

29. On 23 March 2012, the Council of the European Union strongly condemned “the continued brutal attacks and systematic human rights violations by the Syrian regime” and adopted restrictive measures against persons and entities associated with the repression or supporting or benefitting from the regime. The persons targeted were banned from entering the European Union and their assets in the European Union were frozen, as were the assets of the targeted entities. Such measures were tightened in February and again in March and in April, bringing the number of targeted persons to 126 and that of entities to 41. As a direct consequence, deliveries of fuel oil to Syria halted at the beginning of April.

30. On 17 April 2012, the European Parliament held a debate on the situation in Syria following a declaration by Ms Catherine Ashton, EU High Representative for Foreign Affairs. Further sanctions were approved by the European Union Council on 23 April 2012.

4.5. Group of Friends of the Syrian People

31. When Russia and China vetoed the second Security Council resolution on Syria, a Group of Friends of the Syrian People was set up. A first conference was held in Tunis on 24 February 2012, with the participation of more than 60 ministers of foreign affairs and representatives of international organisations such as the United Nations, the League of Arab States, the European Union, the Organisation of Islamic Cooperation, the Arab Maghreb Union, the Gulf Cooperation Council and the African Union, to discuss a possible co-ordinated plan of action to address the crisis in Syria. It condemned the repression in Syria; supported the League of Arab States’ proposals for a peaceful resolution of the conflict; and supported the Syrian National Council as “a legitimate representative of Syrians seeking peaceful democratic change”.

32. A second conference, attended by more than 80 countries, took place in Istanbul on 1 April. It called on Kofi Annan to set up a timeline for the implementation of his peace plan, including a return to the UN Security Council if the massacres continue, and warned Mr Assad that he had very little time to comply with the peace plan. Hillary Clinton, United States Secretary of State, warned that there was “no more time for excuses or delays”. The Friends of the Syrian People also announced that they wanted to set up a working group on sanctions to adopt against the regime. According to the French Foreign Minister, Alain Juppé, “the objective is to co-ordinate US, European and Arab League sanctions and to convince all countries that are friends to Syria to apply these sanctions and toughen them up”. The conference also urged the Syrian opposition to unite behind the SNC.

33. No reference to the arming of the opposition was made in the conclusions made by the Friends of the Syrian People. However, the President of the SNC announced that they would pay the salaries of the Free Syrian Army. Reportedly, some Arab Gulf States are paying millions of dollars into this programme.

34. Further to the meetings of the Group of Friends of the Syrian People in Tunis and Istanbul, the International Working Group on Sanctions held its first meeting on 17 April in Paris in order to increase pressure on the Syrian regime. The 14 Ministers for Foreign Affairs who attended the meeting considered that Mr Annan’s mission was going through “a critical phase because of the refusal of Damascus to implement its commitments”. They insisted on the need to keep the pressure on the regime through the implementation of agreed sanctions. These were not addressed against the Syrian people but against the individuals and institutions responsible for the repression. Russia, which did not take part, criticised the meeting as being one-sided.

4.6. Council of Europe

35. On 4 October 2011, the Assembly adopted [Resolution 1831 \(2011\)](#) on co-operation between the Council of Europe and the emerging democracies in the Arab world.⁷ In the terms of this resolution:

“The Assembly is particularly disturbed by the situation in Syria, where the authorities have launched brutal repression against their own people resulting in thousands of deaths. It unequivocally condemns the use of violence against the population and urges its immediate cessation. It calls on the authorities of the Council of Europe member States to impose firm and effective sanctions on those who have contributed or are contributing to violence against the people. There must be no impunity for crimes

7. See also [Doc. 12699](#) (rapporteur: Mr Jean-Charles Gardetto).

against humanity, whoever committed them. The Assembly therefore calls on the international community, including, as appropriate, the International Criminal Court, to ensure that all such crimes are investigated and punished.”

36. On 24 November 2011, the Bureau of the Assembly condemned violence in Syria and expressed support for the Arab League plan.

37. One week later, the Chairperson of the Assembly Committee on Migration, Refugees and Displaced Persons declared that the situation in Syria had become intolerable and called for sanctions against the Syrian regime.

38. On 15 February 2012, the Secretary General of the Council of Europe made a statement calling on the international community to agree on a united and effective response which would help to end the violence, protect human rights and facilitate a search for a peaceful political resolution of the crisis. On 23 February, the Ministers' Deputies supported the statement.

39. On 23 February 2012, Jean-Claude Mignon, President of the Parliamentary Assembly, said that he was deeply shocked at the death of the French photographer Rémi Ochlik and the American journalist Marie Colvin, working for the *Sunday Times*, who were both killed in the bombardment of Homs.

40. On 29 February 2012, President Mignon called for a “strong partnership” between the Council of Europe and the organs of the United Nations in dealing with crises, such as the current situation in Syria, during a meeting in New York with UN Secretary General Ban Ki-moon. He also proposed increased co-operation between the two organisations, including greater co-ordination of their positions on international crises such as Syria, and consultations ahead of Assembly debates on such issues.

41. On 9 March 2012, the Assembly, meeting in Paris at Standing Committee level, upon my proposal, adopted a statement on the situation in Syria expressing its dismay at the deterioration of the situation in Syria, noting that a government which systematically bombs and slaughters its own population cannot claim any legitimacy. The Assembly called for an immediate end to the killings and related atrocities and emphasised the urgency of addressing the humanitarian needs, facilitating the effective delivery of assistance and ensuing safe access to medical treatment. The Assembly joined UN Secretary General Ban Ki-moon in denouncing the international community's failure in its duty towards the Syrian people. Joining its own President, Jean-Claude Mignon, in his hope that “Russia does not forget its commitments within the Council of Europe”, the Assembly called on Russia not to veto any future resolution on the subject within the UN Security Council. The Assembly also insisted on the need to spare no effort to reassure all Syrian citizens that, in combating the dictatorship of Assad, “it will be possible for them to live together, Christians and Muslims, Kurds and Arabs, Sunni and Alawi, in a peaceful and pluralist democracy”.

42. A few days later, on 14 March 2012, the Committee on Political Affairs and Democracy, meeting in Paris, held an exchange of views with the participation of Ambassador Nassif Hitti, Director of the Mission of the League of Arab States in Paris. After this exchange, the committee decided to request that a debate under urgent procedure on the situation in Syria be held during the April 2012 part-session of the Assembly and appointed me as Rapporteur (subject to a decision by the Assembly to hold an urgent debate). The committee also decided to organise a hearing on the situation in Syria during the April 2012 part-session.

43. On 9 April 2012, the Secretary General issued the following statement: “The attack by Syrian forces on a refugee camp inside the Turkish border is a blatant violation of international law. It is deeply worrying that the Syrian regime is escalating the conflict at a time when the international community is intensifying efforts to broker a peaceful, political solution. President al-Assad must work with UN Secretary General's Special Envoy Kofi Annan on immediate, full and unconditional compliance with the peace plan.”

44. On 10 April 2012, following the violence which erupted the previous day leading to the death of more than 100 people, as well as the incidents on the Turkish borders, the President of the Assembly and myself, in my capacity of Chairperson of the Assembly's Committee on Political Affairs and Democracy, issued a joint statement on the latest developments in Syria regretting that “A regime without any future, stripped of all legitimacy and credibility, both internally and internationally, continues to hold the Syrian people hostage and to block a peaceful outcome”. We called on both the international community and domestic opposition to unite with a view to offering all Syrian citizens, whatever their ethnic origin, culture or religion, the prospect of a peaceful, democratic and pluralist Syria.

45. On 23 April 2012, our committee held a hearing with the participation of Mr Mohamed Hatem Drak Sibai, member of the Syrian Arab Red Crescent, Mr Malaz Alatassi, founder and board member of the Syrian Sunrise Foundation, Mr Joseph Bahout, political expert, Center for International Studies and Research, SciencesPo, Paris and Mr Alain Délétroz, Vice-president Europe, International Crisis Group, Brussels. The testimonies of our Syrian guests, as well as the analysis provided by the invited experts helped me to better understand the dramatic situation on the ground and the main challenges for the future.

5. The way forward

5.1. The progress of implementation of Kofi Annan's peace plan

46. In spite of the acceptance of Kofi Annan's peace plan by the Syrian regime, the killing of protesters by Syrian security forces has continued and the opposition is sceptical about Mr Assad's intentions.

47. On 30 March 2012, Mr Annan pointed out that the deadline for the Syrian Government to comply with the plan "was now" and on 2 April he told the Security Council that the Syrian Government had agreed for the first time to a withdrawal of government troops and weapons from population centres by 10 April, to be followed by an end of rebel operations within 48 hours. The ceasefire was to come into effect on 12 April.

48. Only one day before the announced withdrawal of troops, on 9 April, more than 100 deaths were reported, including at least 30 civilians who died during a Syrian army bombardment in the central province of Hama.⁸ That day, one of the bloodiest days of the uprising, the violence also spilled over into Turkey which houses some 25 000 refugees from Syria. At least two people died and many were injured – including journalists and refugees – after Syrian forces opened fire across the border. This was the first such attack since Turkey began housing refugees from the unrest. Attacks have also been reported on Lebanese territory where refugees from Syria have also fled.⁹

49. By 11 April, government troops and weapons had not been withdrawn from population centres and the violence continued.

50. On 12 April, a fragile ceasefire entered into force, with violations and victims being reported by both sides.

51. Although violent incidents continued to be reported on the ground with the two sides accusing each other, on 14 April, the UN Security Council took note of the assessment of the Joint Special Envoy of the United Nations and the League of Arab States, Kofi Annan, that, as of 12 April, the Syrian parties appeared to be observing a cessation of violence, and that the Syrian Government had started to implement its commitments.

52. Against this background, the UN Security Council managed, for the first time since the beginning of the uprising, to adopt unanimously a resolution authorising the sending of an advance team of up to 30 unarmed military observers to Syria to report on the implementation of a full cessation of armed violence, pending the deployment of a fully fledged United Nations supervision mission that would be tasked with monitoring the ceasefire.

53. In its Resolution 2042, the UN Security Council called on all parties to guarantee the safety of the advance team and ensure its freedom of movement and access, stressing that the primary responsibility for carrying out those requirements lay with the Syrian authorities. Members of the Council condemned the widespread violation of human rights by the Syrian authorities, as well as any other human rights abuses committed by armed groups, stressing that those responsible would be held accountable. They expressed profound regret over the death of thousands of people.

54. The Council reiterated its call to the Syrian authorities to allow immediate, full and unimpeded access of humanitarian personnel to all those in need of help, in accordance with international law and the guiding principles of humanitarian assistance. It also urged all parties, in particular the Syrian authorities, to co-operate fully with the UN and relevant humanitarian organisations to facilitate the delivery of relief. The Council requested the Secretary-General to report to it on the implementation of Resolution 2042 by 19 April, and expressed its intention to assess the implementation and "to consider further steps as appropriate".

8. See also the press release of 10 April 2012, http://www.assembly.coe.int/ASP/NewsManager/EMB_NewsManagerView.asp?ID=7583.

9. For more details, see the opinion of the Committee on Migration, Refugees and Displaced Persons, Doc. 12911.

55. The members of the Council expressed their intention to establish, immediately after consultations between the Secretary-General and the Syrian Government, a UN supervision mission in Syria to monitor a cessation of armed violence by all parties. The Council called on the Syrian authorities to ensure that the supervision mission received the support it needed to deploy its personnel and required assets, including unimpeded and immediate freedom of movement; allowing its unobstructed communications; and allowing it to freely communicate with individuals throughout Syria without retaliation against any person as a result of interaction with the mission.

56. The UN Security Council's resolution was welcomed by all parties to the conflict, as well as the international community. Although several voices from the West cast doubt on the willingness of the regime to implement the UN Security Council resolution, respect the ceasefire and allow unhindered access to UN observers, one should not underestimate the importance of the fact that, for the first time since the beginning of the uprising, the international community spoke with one voice. This should at least increase hopes for a sustainable cessation of violence.

57. However, despite the adoption of UN Security Council Resolution 2042, and while the first handful of international observers arrived in Syria mid-April to oversee the implementation of the ceasefire, fighting and shelling continued. On 16 April, the Syrian Observatory of Human Rights reported that, since the UN-backed ceasefire came into force at dawn on Thursday 12 April, at least 55 people, mostly civilians, had been killed.¹⁰ More violations of the ceasefire and an increased number of deaths were reported on the following days, in particular in the cities of Hama and Khattab, while the shelling of Homs continued. On 23 April, the total number of deaths since the ceasefire began reached 200, including 20 Syrian soldiers.

58. On 18 April, the UN Secretary General called for a 300-member unarmed UN ceasefire observation mission to be sent to Syria. Even though Syrian troops had not withdrawn from cities and violence had escalated since the ceasefire began, "with reports of shelling of civilian areas and abuses by government forces", the UN Secretary General said that "an opportunity for progress may now exist, on which we need to build". Violence levels have indeed "dropped markedly" since the ceasefire began. But, in the words of the UN Secretary General, the government "has yet to fully implement its initial obligations regarding the actions and deployments of its troops and heavy weapons, or to return them to the barracks". Mr Ban Ki-moon said that only "partial" action had been taken on other parts of the six-point plan. Protesters had been fired upon, the status and circumstances of detainees across the country remained unclear and there continued to be worrying reports of significant abuses. Mr Ban Ki-moon confirmed violent incidents when the few UN observers present in Syria went to the Arbeen suburb of Damascus, where an opposition crowd forced their vehicles to a checkpoint.

59. On 19 April, the United Nations and the Syrian Government signed an agreement on the arrangements for the deployment of the expanded UN Supervision Mission in Syria (UNSMS).

60. On 21 April, the UN Security Council unanimously approved the deployment of the expanded mission of 300 UN observers for three months. The vote took place while the few monitors who are already present in Syria were allowed, for the first time, access the city of Homs. In a debate on the conditions of deployment, European States were in favour of deployment only once the government has honoured its commitment to send troops and tanks back to the barracks, while Russia simply called for a quick deployment. Finally, the resolution leaves it to the UN Secretary General to decide when and how the deployment is to take place.

61. In the meantime, a humanitarian forum for Syria met on 20 April in Geneva to mobilise the resources required to fund humanitarian operations for the estimated one million people affected by the crisis in Syria. The forum agreed to a draft plan to provide 180 million dollars for food, medicine and other supplies to these people. This aid will come in addition to humanitarian assistance provided to the tens of thousands of refugees who have fled Syria, mainly to Turkey, Lebanon and Jordan.

5.2. Main challenges for the future

62. It is clear that, in the short term, with at least one and a half million people in need of urgent humanitarian help in Syria, the main priorities are the end of violence and humanitarian assistance, especially in areas which have seen heavy fighting. In this respect, as the UN under-secretary for humanitarian affairs, Valerie Amos,

10. The Observatory said on 16 April that 11 117 people had been killed in 13 months of unrest – 7 972 civilians and 3 145 military and gunmen, including fewer than 600 rebel fighters.

has stressed, it is extremely important that negotiations to enable humanitarian organisations in Syria to deliver aid remain separate from other efforts to resolve the crisis. Emergency humanitarian supplies and services should be made available to people in a way that protects civilians and aid workers.¹¹

63. Unconditional support should also be given to the implementation of the other points of Kofi Annan's peace plan. It is important to stress that the latter is not just about establishing a UN-supervised ceasefire. It is also about the full withdrawal of government troops from population centres; it is about respect for the right to demonstrate peacefully and, above all, about engaging in a political process which should eventually lead to free and fair elections.

64. If there is strong concern about the likelihood of full implementation of Kofi Annan's peace plan, most seem to agree that, as long as this plan is the last solution before a fully fledged civil war, it should be given every chance of success. Thus, the deployment of an important UN observation mission on the ground could increase such chances of success.

65. In this respect, I hope that Russia – an old ally of Syria which houses the sole Russian military basis in the Middle East – will now use all its influence to convince the Syrian ruling government to allow the observation mission full access and freedom of movement to the whole territory of the country and take measures to ensure respect for the other points of the plan aiming at a peaceful and inclusive political process.

66. That said, it seems more and more clear that the present Syrian dictatorship has no future. The social and political coalition on the basis of which it built itself and maintained its power for decades is over. As the Assembly has put it "a government which systematically bombs and slaughters its own population cannot claim any legitimacy", either internally or internationally. It is not clear today how long this will take, but both the Syrian people and the international community should already now prepare themselves for the post-Assad era. The mediation offered by Kofi Annan on behalf of the United Nations and the Arab League and the resolutions adopted by the United Nations Security Council recognise that a peaceful solution requires a negotiation which must involve all representative forces of the Syrian society, including those which still side with Assad. But the presence of these forces does not change the political reality that, as the Syrian uprising has demonstrated, the ruling regime is running out of steam. This very fact constitutes, on the one hand, the weakness of Assad, despite his military superiority, and, on the other, the strength of the opposition, despite its internal divisions or other unresolved problems.

67. And it is precisely this weakness of the regime that makes it fear that if it gives up even a little power and makes minor concessions, the whole edifice, built on corruption and internal suppression, will start to crumble, as ethnic, religious and regional differences surface. The regime thus prefers to play on the fear of the population both of the brutality of the security services and of the chaos which civil war and religious conflict could bring.

68. Therefore, the main challenge lying ahead of us is what will happen next and how to reassure the population in Syria, including ethnic and religious minorities, that there can be a peaceful future in a post-Assad Syria. The aim should include a pluralist and democratic Syria, with its territorial integrity maintained, and where its cultural, ethnic and religious minorities can live in peace side by side. Minorities have indeed a decisive role to play for the future of Syria, be they ethnic or religious.

69. In this respect, the international community and domestic opposition bear a heavy responsibility. Both need to unite themselves urgently. The international community should unite and seek effective action with determination. Pressure on the Syrian regime must continue, including through the implementation of agreed sanctions. These are not directed against the Syrian people but against those responsible for the repression, be they individuals or institutions.

70. But the domestic opposition should also unite in order to be considered as a legitimate alternative offering all Syrian citizens, irrespective of their ethnic origin, culture and religion, the prospect of a peaceful, democratic and pluralist Syria. The international community should support initiatives aimed at the unification of the opposition along such lines, but should also be cautious vis-à-vis those forces which, for specific geopolitical interests or sectarian reasons – in Syria as in other countries of the Arab Spring – are providing political and financial support to extremist groups.

11. For more details, see the opinion of the Committee on Migration, Refugees and Displaced Persons, Doc. 12911.

71. For our part, we should contribute to the unity of the international community, offer unconditional support for the Kofi Annan peace plan and support all efforts, both at international and domestic level, to build a new, democratic and pluralist Syria, respectful of human rights and the rights of ethnic and religious minorities. This is the main challenge and it is not going to be a simple task.

72. In this respect, I would like to underline that the time factor is very important. As Ambassador Nassif Hitti, Director of the Mission of the League of Arab States in Paris, told the Committee on Political Affairs and Democracy on 14 March in Paris, what could have been done six months ago is no longer possible and what is possible to achieve today will not be possible in six months time.

73. Then comes of course the need for justice: no impunity can be allowed for those who committed crimes against humanity, whoever they are, as the Assembly already stressed in October 2011. Crimes must be investigated and perpetrators must be brought to justice. The International Criminal Court will certainly have an important role to play in this context.