

**Security Council**

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18th March

Resolution 2095 (2013)**Adopted by the Security Council at its 6933rd meeting, on
18th March 2013***The Security Council,*

Recalling its resolutions 2042 (2012), 2043 (2012), 2052 (2012), 2059 (2012) and other relevant resolutions on the matter, with special regard to the Six Point Proposal of the Joint Special Envoy of the United Nations and the League of Arab States and the Preliminary Understanding with the Syrian Arab Republic of 16th April 2012,

Reaffirming its support to the Joint Special Envoy of the United Nations and the League of Arab States, Lakhdar Brahimi and his work, following the General Assembly resolution A/RES/66/253, the statement of the Secretary General SG/SM/14471, and relevant resolutions of the League of Arab States,

Taking note of the important role of the League of Arab States as an international actor and mediator on the matter,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Syria, and to the purposes and principles of the UN Charter,

Gravely concerned of the deterioration of the situation in the Middle East and its consequences to the maintenance of international peace,

Deeply concerned about the ongoing Syrian conflict, the widespread violations of human rights by the Syrian authorities as well as by armed groups,

Expressing concern over the rising numbers of casualties which escalated since the beginning as well as the forcible expulsion and deportation of civilians, the imprisonment and abuse of political prisoners in detention centers, continuous attacks on civilians, the complications on food, water and medical supplies accessibility for civilians in certain areas and the destruction of civilian infrastructure,

Recognizing the important contribution of civil society, intergovernmental and nongovernmental organizations to mediate between the Syrian government and the National Syrian Coalition,

Acting under Chapter VII of the Charter of the United Nations,

1. *Calls upon* the Syrian government and the National Syrian Coalition to strengthen their efforts to fully implement all provisions of the present resolution and the resolutions recalled, without delay, as applying in the following sections;

A) CEASEFIRE AND PEACEKEEPING

2. *Calls upon* the Syrian government and the Syrian National Coalition to put the suffering of the Syrian people to an end and to undertake the necessary steps to prevent any further worsening of the situation;

3. *Invites* the Syrian Government to stop all hostilities and military actions against the Opposition factions, the National Syrian Coalition, the civilian population and targeting of individuals, via air, land and sea strikes in the whole country;

4. *Invites* the National Syrian Coalition and its factions to stop all hostilities and military actions against government forces, the civilian population and targeting of individuals via air, land and sea strikes in the whole country;

5. *Establishes* the following Implementation Mechanisms:

(a). Setting up the zero hour for the ceasefire understanding to enter into effect,

(b) Opening the crossings and facilitating the movements of people as well as for the International Red Cross in collaboration with the International Red Crescent immediately after the implementation of the ceasefire, in order to guarantee immediate humanitarian assistance to the people in Syria, especially regarding health care, food and water supply,

(c) The High Commissioner on Syria as defined in paragraph 10 (e), shall receive assurance from the Syrian government and the National Syrian Coalition, that each party commits to the agreements in the present resolution and reports to the Security Council within 24 hours,

(d) The Syrian government and the National Syrian Coalition declare to not perform any acts that would breach this understanding and to guarantee a lasting peace in Syria;

6. *Decides* for this matter the establishment of the United Nations Interim Force in Syria (UNIFIS) to stabilize the situation in Syria until the general elections of March 2014, with the intention to renew for further periods if the Security Council decides so;

7. *Declares* the following objectives of UNIFIS:

(a) Restoring peace and security in Syria,

- (b) Collaboration with the Syrian Transitional Government, as established in paragraph 10 (e), in establishing its effective authority in the area,
- (c) Confirming and monitoring the cessation of hostilities,
- (d) Support of the Syrian armed forces as they deploy throughout the country,
- (e) Supervision of its activities related to paragraph 7 (d),
- (f) Collaboration with Syrian Transitional Government, as established in paragraph 10 (e), to guarantee the civilian population and the voluntary personnel humanitarian assistance,
- (g) Allowance of the safe return of displaced persons,
- (h) Securing Syrian borders and other entry points in to prevent the entry in Syria, without its consent, of arms or related materials,
- (i) Support the Syrian armed forces on the disarmament of civilian population,
- (j) Supervision of the protected stockpile areas for weapons, where military and civilian persons can deliver arms without persecution or judgment,
- (k) Prevent terrorist groups of getting into possession of conventional and non-conventional arms,
- (l) Contribute to the protection and promotion of human rights;

8. *Decides* that the UNIFIS shall be established by peacekeepers belonging to members states of the League of Arab States;

9. *Requests* the Secretary General to report to the Security Council within twenty-four hours on the implementation of the present resolution;

B) SYRIAN TRANSITIONAL GOVERNMENT

10 *Requests* that the involved political actors cooperate in order to establish a stable Syrian Transitional Government until the general elections,

- (a) Implementation of the conditions of the ceasefire as precondition to the involvement in the Syrian Transitional Government,
- (b) Evaluation by UN experts of political forces interested in the participation of the Syrian Transitional Government,
- (c) Composition of the Syrian Transitional Government by representatives of the Syrian Government and the National Syrian Coalition as established in paragraph 10(b), as well as consultants of the League of Arab States and the United Nations,

(d) Designation of the Joint Special Envoy of the United Nations and the League of Arab States Lakhdar Brahimi as High Commissioner for Syria in order to guide the Syrian Transitional Government until the general elections and report periodically on the progress of the Syrian Transitional Government to the Security Council,

(e) Modification of art. 8 of the Constitution of Syria which defines the Socialist Arab Baath Party as the leading party in the society and state, in order to allow the recognition of the political forces as political parties under the conditions of paragraph 10 (c),

(f) To hold general elections not after March 2014 with the involvement of all recognized political parties after the conditions established in paragraph 10 (c), with support and supervision of the UN, the League of Arab States and OSCE,

(g) Reorganization of the military including the integration of opposition forces accompanied by international experts of the United Nations until the general elections of 2014,

(h) Collaboration with advisors of the UN and the League of Arab States to guarantee safety, stability and respect of human rights in Syria until the general elections;

C) DISARMAMENT

11. *Encourages* the Syrian Government and the National Syrian Coalition to undertake the following steps towards a mutual disarmament:

(a) Instantaneous beginning of bilateral negotiations integrating advisors of the League of Arab States and if necessary other actors of the region to assist the negotiations between the Syrian Government and the National Syrian Coalition,

(b) Reduction of the number of conventional arms in use in Syria, which is of great concern and poses an incalculable threat to the stability of the country and the whole region,

(c) The future Syrian government is strongly invited to adhere to the Convention on the Prohibition of the Development, Production, Stockpiling and the Use of Chemical Weapons and on their Destruction, having come into force in 1997 and ratify the Convention on the Prohibition of the Development, Production, Stockpiling of Bacteriological (Biological) and Toxic Weapons and their Destruction, having come into force in 1975,

(c) The future Syrian government is further strongly invited to apply to the United Nations Office for Disarmament Affairs for its support on Training and Capacity Building, Technical Assistance and Outreach and Advocacy concerning disarmament, additionally the Council recommends to the future Syrian government to permit possible inspections to be conducted, as foreseen by the above mentioned conventions;

D) HUMAN RIGHTS

12. *Encourages* the High Commissioner for Human Rights and the Independent International Commission of Inquiry on the Syrian Arab Republic as instituted by the Human Rights Council in its resolution S-17/1, to continue their investigation of human rights violations in Syria and the periodic reporting to the Human Rights Council and the Security Council;

13. *Calls upon* the Syrian Transitional Government to respect and protect internationally recognized fundamental freedoms and human rights for all persons within Syrian Arab Republic, necessary measures shall be undertaken to guarantee the following 5 points in collaboration with UN organs and agencies:

(a) the condition of children in Syria is of special concern, their protection, security and development has to be guaranteed with the cooperation of UNICEF and UNESCO,

(b) woman and children who suffered from sexual abuse shall be given the possibilities of medical (physical and psychological) care, measures shall be undertaken to prevent sexual violence and harassments in collaboration with the Human Rights Council,

(c) securing health care and access to it for all Syrian people and other nationalities in collaboration with the WHO,

(d) release all political prisoners imprisoned during the Syrian Civil war, under supervision of the High Commissioner for Syria,

(e) guaranteeing the human right of freedom of religion to all religious groups in assistance with the Human Rights Council;

E) REFUGEES

14. *Draws attention to* the Convention Relating to the Status of Refugees (1951), article 14 and 13,2 of the Universal Declaration on Human Rights (1948), article 2, par. 2 and article 3 of the Declaration on territorial asylum (1967), article 22 of the Convention on the Rights of the Child (1989), the guiding principles of the Human Rights Commission on displaced persons (1998) and all the relevant resolutions of the General Assembly;

15. *Calls upon* the Syrian Transitional Government to fulfill the following objectives by a 2 step approach:

1) In the short term:

(a) Ensuring health, alimentary and social assistance to displaced persons and refugees suffering the consequences of the cold winter, difficult weather conditions and lack of food in assistance with the FAO,

(b) Invites UNICEF and UNHCR to ensure that children benefit, while in the refugee camps, of a good level of education and of a sheltered environment and to further collaborate to guarantee children this basic needs and rights,

(c) Encourages the parties to collaborate with all NGO's and the UNHCR in finding all missing persons, especially in reuniting lost individuals with their families,

(d) Invites the parties to ensure equal opportunities of access to humanitarian help shall be provided to all refugees without any discrimination based on religion, ethnic group of belonging, gender or nationality,

2) In the long term,

(a) Refugees and displaced persons shall be guaranteed a condition of civil, economic and social safety in their original territories, once back to their country, they shall be able to circulate freely without any threat, danger or discrimination; the Syrian Transitional Government in collaboration with the UNHCR and other UN institutions shall:

- give refugees the possibility of returning to their homes,
- promote the regaining of lost properties, in particular if caused by the violence of the conflict,
- ensure eventual compensations in case of total damage or incapacity of regaining the lost property,

(b) Prevention of political, social or religious discriminations by the Syrian Transitional Government,

(c) Children shall be guaranteed the right of reintegration in the school and educational system after their return;

16. *Considers* the critical situation of Palestinians since their pre-existing condition of refugees in Syria, Palestinian refugees shall be granted equal humanitarian aid and the possibility of a safe return to Syria;

17. *Designates* the supervision of reintegration, the security and protection of the refugees to a commission composed by representatives of UNHCR and experts of the League of Arab States, which directly reports periodically to the High Commissioner for Syria, Lakhdar Brahimi;

F) INTERNATIONAL CRIMINAL COURT

18. *Decides* to refer the situation in Syria since March 2011 to the Prosecutor of the International Criminal Court to evaluate the necessity to exercise its jurisdiction, taking note of the reports of the Independent International Commission of Inquiry on the Syrian Arab Republic after art. 12 and 54 of the Rome Statute;

19. *Invites* the Government of Syria, the National Syrian Coalition and all other parties involved in the Syrian conflict, to cooperate fully with and provide any necessary assistance to the Court and Prosecutor in accordance with this resolution, urges all States and concerned regional and other international organizations to cooperate fully, while recognizing that States not party to the Rome Statute have no obligation under the Statute;

20. *Invites* the future Syrian Transitional Government to discuss practical arrangements that will facilitate the work of the Prosecutor and of the Court, including the possibility of conducting proceedings in the region, which would contribute to regional efforts in the fight against impunity, the protection of human rights and the promotion of the rule of law;

21. *Emphasizes* the need to promote healing and reconciliation and encourages in this respect the creation of institutions, involving all sectors of Syrian society, such as truth and/or reconciliation commissions, in order to complement judicial processes and thereby reinforce the efforts to restore long-lasting peace, with the League of Arab States and international support as necessary;

22. *Invites* the Prosecutor to address the Council within one month of the date of adoption of this resolution and every six months thereafter on actions taken in accordance to this resolution;

23. *Decides* to remain actively seized of the matter.