

Country/entity	Syria
Region	Middle East and North Africa
Agreement name	Preliminary Understanding on the United Nations Supervision Mechanism in the Syrian Arab Republic
Date	19 Apr 2012
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Interstate/intrastate conflict(s)

Syrian Conflicts (1948 -) (1976 - 2005) (2011 -)

The agreements relate to three different conflict contexts. Israel-Syria and Syria-Lebanon. The Syrian-Israeli conflict was a key factor for the Syrian intervention during the Lebanese Civil War, with Syrian-backed Palestinian Liberation Army units intervened in 1976 against the Palestinian/Leftist militias. Following a massacre at Tel al-Zaatar that year, Syria was forced to accept a ceasefire at a meeting of the Arab League. However, the Arab League also mandated an Arab Deterrence Force, consisting of mostly Syrian soldiers with token contributions from other Arab League states, thus further legitimizing the Syrian presence in Lebanon. During a second bout of fighting that began in 1989, caused by the formation of rival Lebanese regimes in East and West Beirut, the Syrian-backed regime won and in 1991 the 'Treaty of Brotherhood, Cooperation and Coordination' was signed to legalize the Syrian occupation as a means to ensure the security of Syria. Syrian forces were forced to withdraw in 2005 following possible involvement in the assassination of Lebanon's President Hariri.

Syria-internal. In 2011, domestic upheaval following a wave of protests across the Arab World soon led to violent repression of protestors by Syrian government troops. The violence progressed steadily and by July 2011 the Free Syrian Army (FSA) was formed consisting of defected military units and new recruits. The FSA and rebel umbrella group known as the Syrian National Council represented the first attempt at coordinating rebel factions in late 2011. However, a steady influx of foreign fighters and increased sectarianism radicalised opposition groups, which relied on foreign funding. The nature of the conflict changed drastically in late 2013 as infighting among the opposition groups increased. One of the more significant developments was the split between the al-Qaeda outfits the Islamic State in Iraq and the Levant (ISIL, ISIS), and Jabhat al-Nusra in early 2014 in addition to the intensified targeting of other rebel factions by ISIS fighters in particular, including the Kurdish Peshmerga, the FSA and other jihadist outfits. Since the summer of 2014, the conflict was further internationalized when ISIS announced the formation of an Islamic state eroding the state line between Iraq and Syria and also in mid-2015 when Russian forces intervened on behalf of the Bashar al-Assad government in Damascus.

Close
Syrian Conflicts (1948 -) (1976 - 2005) (2011 -)

Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	Syrian peace process
Parties	Government of the Syrian Arab Republic; The United Nations.

Third parties	-
Description	Preliminary agreement on the working arrangements of UN military observers in the Syrian Arab Republic, based on the stated assumption that the terms of the 14/04/2012 Six Point Proposal will be upheld.

Agreement document	SY_120419_UN_Preliminary Understanding.pdf (opens in new tab) Download PDF
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Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 1, Introduction, 1. The Security Council, in its resolution 2042 (2012), reaffirms its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic, and to the principles of the Charter.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	<p>Page 5, Page 5, D. Obligations of the personnel of the United Nations supervision mechanism</p> <p>21. United Nations military observers will, within the framework of the Security Council mandate, also have the following operational freedoms, with, where appropriate, notification/coordination with the Syrian Government:</p> <p>... (i) Freedom to access detention centres and medical centres in coordination with the International Committee of the Red Cross and the Syrian Arab Red Crescent in the context of the implementation of mandated tasks;</p> <p>Page 6, E. Liaison coordination and resolution of disputes</p> <p>23. Weekly or as needed liaison forums in each team site shall be convened, involving team United Nations military observers, local government representatives, local opposition leaders and/or activists and other representatives of civil society in order to clarify issues of concern.</p>
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.
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Power sharing	
Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.
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Human rights and equality

Human rights/RoL general Page 2, B. Tasks and responsibilities of the parties
7. The Government of the Syrian Arab Republic ensures the following:
(a) The maintenance of security and law and order through the use of its police and law enforcement agencies, in a manner consistent with international humanitarian and human rights law;

Page 5, 21. [Summary] The UN monitoring mission is granted a series of 'freedoms and rights', but these are not applicable to the general population or Syrian citizens.

Bill of rights/similar No specific mention.

Treaty incorporation Page 1, Introduction, 1. The Security Council, in its resolution 2042 (2012), reaffirms its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic, and to the principles of the Charter.

Page 5, D. Obligations of the personnel of the United Nations supervision mechanism
20. In addition to the rights, facilities, privileges and immunities mentioned in the model status of mission agreement and in the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic, the advance team, the United Nations supervision mechanism and their personnel shall enjoy the privileges and immunities specified in the Convention on the Privileges and Immunities of the United Nations. In particular, the United Nations military observers shall enjoy the status of experts on mission within the meaning of article VI of the Convention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access

Page 2, B. Tasks and responsibilities of the parties

7. The Government of the Syrian Arab Republic ensures the following:

- ... (b) The safety and security of all United Nations military observers, staff officers, United Nations international and national staff and United Nations premises, properties and infrastructures, when and where required by the Chief Military Observer without prejudice to the freedom of movement as all personnel of the advance team and, upon its deployment, the United Nations supervision mechanism;
- (c) The full and unimpeded access of humanitarian personnel to all populations in need of assistance in accordance with the guidelines established in General Assembly resolution 46/182.

Page 2, B. Tasks and responsibilities of the parties

9. The Government of the Syrian Arab Republic allows unhindered access of United Nations personnel to any facility, location, individual or group considered of interest by the advance team and, upon its deployment, the United Nations supervision mechanism, in accordance with their tasks and in keeping with their mandates.

Page 3, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

14. Armed opposition groups and relevant elements should ensure the following:

- ... (b) Freedom of movement within all areas where armed opposition groups and relevant elements are present;
- (c) The full and unimpeded access of humanitarian personnel to all populations in need of assistance.

Page 3, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

15. Armed opposition groups and relevant elements should allow unhindered access of United Nations personnel to any facility, locations, individual or group considered of interest by the advance team and, upon its deployment, the United Nations supervision mechanism.

Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

16. Armed opposition groups and relevant elements operational requirements:

- ... (g) Allow the safe return of all affected people to their places of residence.

Page 4, C. United Nations supervision mechanism

... 18. Without prejudice to the model status of mission agreement and to the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic, the parties shall respect the advance team and the United Nations supervision mechanism's right to:

- ... (d) Move freely throughout the country, in accordance with the mandate, with the exception of the occupied Golan;
- ... (f) Interact freely and confidentially with any individual, group of individuals, body or institution in the Syrian Arab Republic without threat of harassment or reprisal against them;

Page 5, C. United Nations supervision mechanism

18. Without prejudice to the model status of mission agreement and to the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic, the parties shall respect the advance team and the United Nations supervision mechanism's right to:

- ... (g) Secure unobstructed communications between United Nations elements as well as with United Nations Headquarters

Protection measures	No specific mention.
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Other	No specific mention.
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Rights institutions

NHRI	No specific mention.
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Regional or international human rights institutions	No specific mention.
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Justice sector reform

Criminal justice and emergency law	No specific mention.
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State of emergency provisions	No specific mention.
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Judiciary and courts	No specific mention.
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Prisons and detention	No specific mention.
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Traditional Laws	No specific mention.
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Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
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National economic plan	No specific mention.
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Natural resources	No specific mention.
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International funds	No specific mention.
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Business	No specific mention.
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Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Property return and restitution
Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements
16. Armed opposition groups and relevant elements operational requirements:
... (c) Commit to stop all illegal activities according to Syrian law, including assassinations, kidnapping or vandalism; and to return all public and private property, stolen through violence, to its rightful owners;

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees**

Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

16. Armed opposition groups and relevant elements operational requirements:

... (c) Commit to stop all illegal activities according to Syrian law, including assassinations, kidnapping or vandalism; and to return all public and private property, stolen through violence, to its rightful owners;

Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

16. Armed opposition groups and relevant elements operational requirements:

... (e) Cease public and private displays of weapons;

(f) Commit, in accordance with Syrian law, not to conduct or initiate activities such as establishing checkpoints, conducting patrols or policing activities;

Ceasefire

Security sector→Ceasefire→General commitments

Page 1, Introduction, 2. This agreement is intended to provide a basis for a protocol governing the advance team and, upon its deployment, the United Nations supervision mechanism to monitor and support a cessation of armed violence in all its forms by all parties and the implementation of the Special Envoy's six-point plan (endorsed by the Security Council in resolution 2042 (2012)). This agreement identifies issues, responsibilities and procedures that are required for the advance team and the effective deployment of a United Nations supervision mechanism, once mandated by the Council.

Page 1, A. Basic assumptions

4. Based on the six-point plan of the Special Envoy and the exchange of letters between the Special Envoy and the Syrian authorities it is assumed that:

5. As at 10 April 2012 the Government of the Syrian Arab Republic had implemented:

- (a) The cessation of troop movements towards population centres;
- (b) The end of the use of heavy weapons in population centres;
- (c) The beginning of the pullback of military concentrations in and around population centres.

Page 1-2, B. Tasks and responsibilities of the parties

B1. Tasks and responsibilities of the Syrian Government

6. As of 12 April 2012:

- (a) Cease armed violence in all its forms;
- (b) Complete the pullback of all Syrian Army military concentrations and their heavy weapons from inside and around population centres and return them to their barracks or their places of temporary deployment;
- (c) Other responsibilities derived from the six-point plan in line with the mandate;
- (d) Any other tasks/activities agreed by the Chief Military Observer with the parties.

Page 2, B. Tasks and responsibilities of the parties

11. Syrian Army operational requirements:

... (c) Cease armed violence in all its forms;

Page 3, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

13. As of 12 April 2012:

- (a) A complete halt to the fighting and a sustained cessation of armed violence in all its forms;

...

Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

16. Armed opposition groups and relevant elements operational requirements:

- (a) Cease all acts of aggression against Syrian Army formations, bases, convoys and infrastructure;
- (b) Cease all acts of aggression against Government agencies, buildings, infrastructure as well as private and public properties, and not hinder the resumption of public services;

Police

Page 2, B. Tasks and responsibilities of the parties

7. The Government of the Syrian Arab Republic ensures the following:

(a) The maintenance of security and law and order through the use of its police and law enforcement agencies, in a manner consistent with international humanitarian and human rights law;

Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

16. Armed opposition groups and relevant elements operational requirements:

... (f) Commit, in accordance with Syrian law, not to conduct or initiate activities such as establishing checkpoints, conducting patrols or policing activities;

Page 7, Annex [Summary] Defines terms within the agreements, including Police forces and law enforcement units.

Armed forces

Page 1, A. Basic assumptions

4. Based on the six-point plan of the Special Envoy and the exchange of letters between the Special Envoy and the Syrian authorities it is assumed that:

5. As at 10 April 2012 the Government of the Syrian Arab Republic had implemented:

... (c) The beginning of the pullback of military concentrations in and around population centres.

Page 1-2, B. Tasks and responsibilities of the parties

B1. Tasks and responsibilities of the Syrian Government

6. As of 12 April 2012:

... (b) Complete the pullback of all Syrian Army military concentrations and their heavy weapons from inside and around population centres and return them to their barracks or their places of temporary deployment;

... (d) Any other tasks/activities agreed by the Chief Military Observer with the parties.

Page 2, B. Tasks and responsibilities of the parties

11. Syrian Army operational requirements:

(a) Complete the pullback of Syrian Army concentrations and heavy weapons from inside and around population centres;

(b) Refrain from operational deployments and movements towards, inside and around population centres;

(c) Cease armed violence in all its forms;

(d) Withdraw all Syrian Army concentrations and their heavy weapons from inside and around population centres and return them to their barracks or temporary deployment places;

...

12. The Syrian Armed Forces may continue to maintain the security of strategic assets and installations, e.g., ports, airports, highways, refineries, etc.

Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

16. Armed opposition groups and relevant elements operational requirements:

(a) Cease all acts of aggression against Syrian Army formations, bases, convoys and infrastructure;

Page 7, Annex [Summary] Defines terms within the agreements, including 'Syrian Army, Military Barracks, Army Concentrations.

DDR

No specific mention.

Intelligence services

No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 3, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

14. Armed opposition groups and relevant elements should ensure the following:

- (a) No threat to the security of all United Nations military observers, staff officers, United Nations international and national staff and United Nations premises, properties and infrastructures while in areas where armed opposition groups and relevant elements are present, when and where required by the Chief Military Observer, without prejudice to the freedom of movement of all personnel of the advance team and, upon its deployment, the United Nations supervision mechanism;
- (b) Freedom of movement within all areas where armed opposition groups and relevant elements are present;

Page 4, B2. Tasks and responsibilities to be confirmed by the Special Envoy with and in respect of the armed opposition groups and relevant elements

16. Armed opposition groups and relevant elements operational requirements:

... (d) Refrain from training, rearming, regrouping or reorganizing military formations;

Page 6, E. Liaison coordination and resolution of disputes

23. Weekly or as needed liaison forums in each team site shall be convened, involving team United Nations military observers, local government representatives, local opposition leaders and/or activists and other representatives of civil society in order to clarify issues of concern.

Page 6, E. Liaison coordination and resolution of disputes

24. The Chief Military Observer shall conduct regular meetings with senior Syrian Government interlocutors and opposition figures.

Page 6, F. Coordination and notification procedures

... 26. The Chief Military Observer, in coordination with the Syrian Government authorities and armed opposition groups and relevant elements, will list, within 20 days of the adoption of an agreement, all relevant geographic information specifying on United Nations maps the population centres and other locations relevant to the mandate. This map will be communicated to the Security Council.

Page 6, F. Coordination and notification procedures

... 27. The Chief Military Observer, in coordination with the Syrian Government authorities and armed opposition groups and relevant elements, will list all relevant information specifying heavy weapons/weapons systems involved in the conflict (see annex 1).

Page 6, F. Coordination and notification procedures

... 28. The Syrian Government and armed opposition groups and relevant entities will inform the United Nations supervision mechanism of activities for which they request coordination, in writing through a liaison channel. The United Nations supervision mechanism will acknowledge in writing receipt of these requests within three days maximum.

**Withdrawal of
foreign forces**

No specific mention.

Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	UN as signatory.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

**International
mission/force/
similar**

Page 2, B. Tasks and responsibilities of the parties

7. The Government of the Syrian Arab Republic ensures the following:

... (b) The safety and security of all United Nations military observers, staff officers, United Nations international and national staff and United Nations premises, properties and infrastructures, when and where required by the Chief Military Observer without prejudice to the freedom of movement as all personnel of the advance team and, upon its deployment, the United Nations supervision mechanism;

Page 2, B. Tasks and responsibilities of the parties

8. The issue of the use of air assets by the United Nations supervision mechanism may be discussed and agreed at a later date.

Page 2, B. Tasks and responsibilities of the parties

9. The Government of the Syrian Arab Republic allows unhindered access of United Nations personnel to any facility, location, individual or group considered of interest by the advance team and, upon its deployment, the United Nations supervision mechanism, in accordance with their tasks and in keeping with their mandates.

Page 2, B. Tasks and responsibilities of the parties

10. The Government of the Syrian Arab Republic facilitates the granting of visas upon arrival and expedites the issuance of cross-border documents to allow the entry of United Nations personnel and equipment whose names and nature will be communicated to the Syrian authorities. The Government of the Syrian Arab Republic, in conformity with Syrian law, also allows the timely entry of all monitoring, security, communications and protective equipment required by the United Nations military observers to implement their mandated tasks, as defined by the Chief Military Observer, such as:

- (a) Armoured vehicles;
- (b) Personal protective gear (helmets and fragmentation vests);
- (c) Navigation systems;
- (d) Information technology and communications equipment as needed for the mandate;
- (e) First aid kit.

Page 4, C. United Nations supervision mechanism

17. Upon deployment of a Security Council-mandated supervision mission to the territory of the Syrian Arab Republic, the mission will monitor and support a cessation of violence in all its forms by all parties and the implementation of the Special Envoy's six-point plan. The United Nations supervision mechanism will carry out its activities in accordance with the mandate established by the Council and, where appropriate, the United Nations supervision mechanism will coordinate with the Syrian authorities.

Page 4, C. United Nations supervision mechanism

... 18. Without prejudice to the model status of mission agreement and to the agreement to be concluded with the Government concerning the status of the United Nations supervision mechanism in the territory of the Syrian Arab Republic, the parties shall respect the advance team and the United Nations supervision mechanism's right to:

- . (a) Conduct its mandated activities;
- . (b) Observe, establish and assess facts and conditions on the ground in an independent and impartial manner;
- (c) Liaise and engage with all relevant parties;
- (d) Move freely throughout the country, in accordance with the mandate, with the exception of the occupied Golan;
- (e) Operate free from intimidation or harassment or threat to their safety and security and to the inviolability of United Nations premises and facilities;

Enforcement mechanism	No specific mention.
Related cases	No specific mention.
Source	http://peacemaker.un.org/syria-supervision-mechanism2012
