



**Statement by
Ms. Sima Samar**

**Chairperson of the group of mandate holders pursuant to resolution A/HRC/4/8
Follow up to the decision of 13 December 2006 adopted by the Human Rights
Council at its 4th special session entitled "Situation of human rights in Darfur (s- 4/
101)."**

**Human Rights Council
5th session**

Geneva, 13 June 2007

Mr. President,
Excellencies,
Ladies and Gentlemen,

It is an honour for me to present the report of the group of experts in conformity with resolution 4/8 of the Human Rights Council, of 30 March 2007.

As Special Rapporteur on the situation of human rights in the Sudan, I had the pleasure of presiding over the group and to work with the other mandate holders : the Special Representative of the Secretary-General for children and armed conflict, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Representative of the Secretary-General on the situation of human rights defenders, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on the question of torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on violence against women, its causes and consequences.

The group believes that the approach chosen by the Council is not only an innovative and promising way to deal with grave human rights situations but also by focusing on implementation it provides another opportunity for the Government of the Sudan to demonstrate its commitment to the protection of human rights in accordance with its obligations under international law.

The group reviewed all pre-existing UN human rights recommendations and identified priority areas which were clustered under: Human Rights protection, Humanitarian Access, Accountability and Justice and Monitoring of Implementation of Recommendations. The group selected a number of recommendations for each priority area and outlined practical steps that should be taken by the Government to improve the human rights situation on the ground. The group identified indicators to measure the status of implementation.

A timeframe is also included in the compilation. Recommendations are organized into those that should be implemented in the "short" and "medium" terms, intended as periods of three and twelve months. While a three-month period is relatively short, these recommendations are not new and recommendations classified under this category can be implemented immediately or are first steps of other recommendations which necessitate more time.

The group held consultations in Geneva with the Permanent Mission of the Sudan to the UN and, on 24 May, with an inter-ministerial delegation from Khartoum. The dialogue between the group and the Government was open and frank. Opinions converged on a number of issues but there were clear differences on others that will need further dialogue. The group welcomed the Government's acknowledgment of serious human rights problems in Darfur and the need to address them. The Government expressed its commitment to implement some of the recommendations and the group

looks forward to receiving reports that the human rights situation in Darfur has improved with an increase in protection of the population.

As part of its work the group also held consultations with the African Union, the mechanisms of the African Commission of Human and People's Rights and many others with an interest in improving the human rights situation in Darfur. The group welcomed the opportunity to cooperate with the human rights mechanisms of the African Union, including the African Commission of Human and Peoples' Rights, and to consult with the Darfur-Darfur Dialogue and Consultation and reiterates the importance of all mechanisms using the compilation of recommendations in their work and to be fully engaged in supporting the process of implementation as outlined in resolution 4/8.

The commitment and cooperation of national, regional and international mechanisms – first and foremost this Council – are crucial to improve the human rights situation in Darfur.

Mr. President,

The group fully shares the deep concern of the Council, expressed in its resolution 4/8, regarding the seriousness of ongoing violations of human rights and international humanitarian law in Darfur as well as the lack of accountability for perpetrators of such crimes. Even since the last session of the Human Rights Council serious violations have continued in Darfur.

The group recommends that the Government takes urgent action to prevent further violations and recommends that the Council remain seized of the matter. We propose that the Council continues to monitor the human rights situation, reviews the implementation of our compilation of recommendations and evaluates progress made at its forthcoming sessions in accordance with the indicators suggested by the group.

Mr. President,

We recognize the primary responsibility of the government of Sudan and its state institutions in fully respecting, protecting and promoting international human rights law and humanitarian law. The group recalls that all parties involved in the conflict must comply with their obligations under international human rights and humanitarian law.

We call upon all parties to the conflict to put an end to all acts of violence against civilians, with a special focus on the protection of women and vulnerable groups such as children, the elderly and internally displaced persons, as well as human rights defenders and humanitarian workers.

We call upon the government to ensure that all allegations of violations of human rights and international humanitarian law are duly investigated and that those found to be responsible are promptly brought to justice.

We recognize the vital role of Sudanese civil society and human rights defenders through monitoring the situation and identifying the gaps in the protection of human rights that need to be addressed and thus facilitating the work of the Government in complying with its obligations under international law.

In this regard, the group wishes to underline the importance of the work done by UNMIS human rights officers. They must have full and unimpeded access to all relevant areas, including all places where persons are deprived of their liberty, and be allowed to interview victims and detainees in private.

Respect for human rights is an unconditional State obligation that does not depend on the availability of financial and technical support. However, we invite the relevant United Nations bodies and agencies, as well as OHCHR, to provide such support and technical assistance to the extent necessary for the implementation of these recommendations, and call upon donors to provide funds for this support when there is an assessed need.

I must underline that urgent action is required to protect the population in Darfur. The group has recommended concrete practical steps to be taken immediately by the Government of Sudan to improve the human rights situation. The group welcomes the promises of the Government and urges it to implement these recommendations without delay.

While the expressed commitments of the Government and its planned initiatives are important, it is improvement in the human rights situation on the ground which will provide the measurement of any real progress.

Mr. President, Excellencies, Ladies and Gentlemen,

I thank you for your attention.