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HUMAN RIGHTS COUNCIL

Fourth special session

SUMMARY RECORD OF THE 2nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 12 December 2006, at 3 p.m.

President: Mr. DE ALBA (Mexico)

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DARFUR” (continued)

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The meeting was called to order at 3.15 p.m.

REQUEST OF THE PERMANENT REPRESENTATIVE OF FINLAND, ON BEHALF OF 34 STATES MEMBERS OF THE HUMAN RIGHTS COUNCIL, TO CONVENE A SPECIAL SESSION OF THE COUNCIL “ON THE HUMAN RIGHTS SITUATION IN DARFUR” (continued) (A/HRC/S-4/1-3; A/HRC/S-4/L.1-L.3; A/HRC/S-4/G/1 and 2; A/HRC/S-4/NGO/1-10)

1. Mr. ENDO (Japan) said that, in order to end impunity in Darfur, the persons responsible for gross violations of human rights and international humanitarian law must be brought to justice. Japan hoped that the parties that had not yet signed the Darfur Peace Agreement would do so without delay and that the humanitarian situation in the region would improve.
2. The Government of Japan had been working actively for peace in the Darfur region and had provided considerable assistance to the Sudan. On 1 December 2006, it had extended an additional emergency grant, intended specifically for Darfur, in the amount of US\$ 30 million. Since there were still different viewpoints on the gravity of the situation in Darfur, the Council should appoint a mission of independent experts to make an objective assessment of the situation in order to enable the Council to take effective measures.
3. Mr. THIAM (Senegal) said that the many logistical and financial challenges facing the African Union Mission in the Sudan could not be met without the ongoing support of the donor community. The Darfur Peace Agreement offered good prospects for peace and stability, and he urged the parties to the conflict that had not signed the Agreement to do so without delay. The high-level consultations of 16 November 2006 that had been jointly chaired by the Secretary-General of the United Nations and the Chairperson of the Commission of the African Union had underscored the need to introduce a ceasefire, support the peace process and strengthen the capabilities of the African Union Mission in the Sudan. The Council should bear in mind the close relationship that existed between security, development and respect for human rights, and should adopt measures that allowed for the effective enjoyment of human rights, particularly the right to food, by increasing humanitarian assistance.
4. The Council must reach agreement on the composition and mandate of the mission to the Sudan, since the success of the mission would depend on the objectivity and impartiality with which its members discharge their functions and on the cooperation of the Sudanese Government.
5. Mr. LIMA FLORENCIO (Brazil) commended the Sudanese Government for inviting members of the Council to make a first-hand assessment of the situation in Darfur. There was increasing cause for concern about the situation in Darfur, since another 60,000 to 70,000 people had reportedly been internally displaced over the past few months, bringing the total number of displaced persons to 2.7 million. Moreover, there had been reports of attacks on the civilian population, widespread impunity and violations of international humanitarian law. It was necessary to establish an impartial means of dealing with the crisis in order to end the suffering of innocent civilians, particularly women and children. Without the involvement of the international community, there would be no prospects for lasting peace in the region.

6. His Government was in favour of the Council's appointment of a mission to the Sudan to assess the situation objectively. The Council should take into account all aspects related to human rights and should address the difficulties encountered by humanitarian organizations. It should also help the Sudanese Government to implement a disarmament programme and ensure the effectiveness of the arms embargo imposed by the Security Council. The overall goal should be to enhance the capacity of the Sudanese Government to deal with the human rights aspects of the crisis, including through more effective cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR).

7. Mr. AMIRBAYOV (Azerbaijan) commended the Sudanese Government for its willingness to cooperate with the international community and to implement the Darfur Peace Agreement. In assessing the human rights situation in Darfur, it was important to adopt an open-minded, objective, thorough and consistent approach and to focus on efforts to improve the situation. The violations of human rights by all parties must stop, and internally displaced persons and other civilian populations should receive the protection they needed.

8. He welcomed the commitment of the United Nations to provide financial and logistical support to the African Union Mission in the Sudan. In order to meet the requirements of objectivity and credibility, the Council's mission to Darfur should be composed of political and technical experts. In order for the Council to reach a consensus on ways of addressing the human rights situation in Darfur, it was necessary to reconcile the conflicting information that had been provided on nearly all aspects of the human rights situation in Darfur.

9. Mr. RAHMAN (Bangladesh) said that the Human Rights Council should address all situations of gross and systematic violations of human rights. In responding to a particular human rights situation, the Council should remain objective and its decisions should be action-oriented, enforceable and effective. There appeared to be three types of conflict in Darfur, each of which involved different human rights abuses. The first type of conflict was inter-tribal rivalry, which was aggravated by land use disputes. The second involved conflicts between the central Government and rebel movements. The third involved foreign States and cross-border forays. The international community should examine not only the actions of the Government of the Sudan but also those of the manufacturers and suppliers of weapons and ammunition to non-State parties to the conflict.

10. In order to take objective decisions, the Council needed clear, accurate and reliable information. A fact-finding mission to Darfur, composed of competent persons of recognized integrity, appeared to be the only option. The Sudanese Government's invitation to members of the Council to visit Darfur was a welcome development.

11. Mr. HINDAWI (Jordan) said that the dire assessment of the situation in Darfur provided by the Secretary-General and the United Nations High Commissioner for Human Rights contrasted sharply with the assessment provided by the Deputy Governor of Southern Darfur, who stated that the central and local governments were making efforts to reach a peaceful settlement by prosecuting perpetrators of human rights violations and implementing the Darfur Peace Agreement. The conflicting descriptions of the situation highlighted the need for clear, accurate and objective information and for the dispatch of a high-level mission to Darfur. Such a mission should include members of the Council and experts, and should be led by the President of the Council or a person appointed by the President in consultation with the Sudanese

Government. The cooperation of the Sudanese Government with the Council afforded a historic opportunity to improve the situation in Darfur. He called on the members of the Council to adopt a consensus decision on the protection of human rights in Darfur.

12. Mr. HAMAIMA (Observer for the Libyan Arab Jamahiriya) said that peace and security in the Sudan would have a beneficial impact on both the region and the African continent as a whole. The proposed mission to Darfur should take account of the parties external to the conflict that were supplying rival factions with weapons. The effective participation of the Sudanese Government in various peace agreements confirmed its desire to find a durable solution. In the light of the conflicting information on the situation in Darfur, he called for the establishment of a commission of inquiry composed of the members of the Council's Bureau and the Special Rapporteur on the situation of human rights in the Sudan.

13. Mr. SHOUKRY (Observer for Egypt) said that, the Human Rights Council had an important role to play in promoting and protecting the human rights of all peoples, including the inhabitants of Darfur. He welcomed the decision of the Peace and Security Council of the African Union to extend the mandate of the African Union Mission in the Sudan by six months, and commended the Sudanese Government's efforts to deal with the situation in Darfur, particularly by disarming the militias. In order to restore peace and security in the region, the international community should extend technical and financial assistance to the Government of the Sudan in order to enhance its capacity to provide humanitarian assistance, encourage the parties that had refused to join the peace process to do so, and restrict the flow of arms to the region from external sources.

14. He hoped that the appointment of a mission to Darfur, composed of impartial experts, would help to provide an accurate picture of the situation and would alleviate the human suffering. The Council should demonstrate its credibility by not politicizing the issues involved and by ensuring the effective implementation of its decisions.

15. Mr. VARELA QUIRÓS (Observer for Costa Rica) said that, in her report on her visit to Darfur, the High Commissioner for Human Rights had drawn attention to the grave human rights situation in Darfur. She had also called for the protection of the civilian population of Darfur and support for the efforts of the International Criminal Court to prosecute perpetrators of crimes against humanity. The Secretary-General of the United Nations had called on the Council to ensure that no more blood was shed in the region. The Council should send an independent fact-finding mission to Darfur to assess the situation and make specific recommendations to the Council on ways of protecting the civilian population. The violence in Darfur must be halted and the 2 million internally displaced persons must be allowed to return home. He hoped that the special session would reach a consensus and that the unanimity of the international community would serve as an encouragement for all those working to alleviate the suffering of the people of Darfur.

16. Mr. CHOE Myong Nam (Observer for the Democratic People's Republic of Korea) said that peaceful means of ending the conflict in Darfur, such as dialogue and cooperation, should take precedence over coercive measures, such as unilateral sanctions and military confrontation. The Darfur Peace Agreement was a positive step in that direction, and he commended the Government and people of the Sudan for their efforts to restore peace and stabilize the situation. Objectivity and impartiality should be observed in efforts to resolve the situation, and the

international community should respect the ability of the countries of Africa to solve their own problems. The Democratic People's Republic of Korea had supported initiatives proposed by African countries for dealing with regional problems, including the problem of Darfur. His delegation deplored the attempts that had been made to exaggerate the seriousness of the situation in Darfur and to incite antagonism, mistrust and confrontation among the parties to the conflict.

17. Ms. TELLIER (United Nations Population Fund (UNFPA)) said that the Fund's current programme in Darfur was focused on preventing sexual and gender-based violence, providing support to survivors and reducing maternal mortality and morbidity by providing quality reproductive health information and services. UNFPA also supported the provision of psychosocial care by women's centres. Regrettably, many of those services had been disrupted by increased insecurity, which had resulted in attacks on relief workers and the departure of skilled medical personnel. The armed conflict was having an unprecedented negative impact on women and girls, who were particularly vulnerable to attacks. Rape continued to destroy lives and resulted in unwanted pregnancies, the abandonment of children born out of rape, and raised concerns about the spread of HIV/AIDS among the population.

18. UNFPA commended the measures taken by the Sudanese Government to address the problem, including the establishment of a unit for combating violence against women and children, the development of a national plan of action and the preparation of a manual for the clinical management of rape based on international standards. However, much remained to be done to ensure the implementation of those measures. UNFPA called on all parties involved to give priority to providing adequate security and access to humanitarian relief agencies.

19. Mr. KAVANAGH (Observer for Ireland) said that, despite claims to the contrary, the seriousness of the situation in Darfur had not been exaggerated. The Government of the Sudan bore primary responsibility for protecting its citizens from violence, and the Council should strongly urge the Sudan to end the culture of impunity. All sides must honour their ceasefire commitments, desist from attacks that endangered civilians or humanitarian workers and cooperate fully with the ongoing investigation of the International Criminal Court.

20. His delegation supported the dispatch of an assessment mission composed of knowledgeable, credible, objective and independent members, which should report back to the Council as soon as possible. He hoped that the special session would result in a consensus on ways of resolving the situation in Darfur.

21. Mr. QERIMAJ (Observer for Albania) said that, according to credible sources, serious violations of basic human rights, including the violation of the right to life, were continuing in Darfur. The Sudanese Government had made commendable efforts to resolve the complex problems in that region, through a political process, in accordance with the conclusions of the high-level consultations on the crisis in Darfur. The Government of Albania was convinced that genuine cooperation by the interested parties and goodwill in applying the Council's decisions would increase the Council's credibility.

22. Ms. BORSIIN BONNIER (Observer for Sweden) said that every day there was news of widespread, gross and systematic violations of human rights and humanitarian law in Darfur. Those heinous crimes took place in a climate of impunity. While all parties to the conflict bore

a heavy responsibility for the situation, the Government of the Sudan had the overriding responsibility to protect its citizens, ensure that its armed forces or allied militias did not take part in atrocities, take measures to prevent such crimes and ensure that their perpetrators were brought to justice, and facilitate the work of humanitarian organizations. All parties to the conflict should join and implement the Darfur Peace Agreement. All attacks on civilians must stop, militias must be disarmed, and impunity must end. The international community was willing to do its part to protect the vulnerable population of Darfur. Denial of the gravity of the situation and refusal of offers of help would jeopardize the future of millions of people.

23. Ms. MASRI (Observer for the African Union) said that the African Union had made great efforts to end the conflict in Darfur and to improve conditions in the region. The Peace and Security Council of the African Union had held high-level meetings with the parties to the conflict and with other partners. Those meetings had culminated in the signing of the Darfur Peace Agreement in Abuja on 5 May 2006. The mandate of the African Union Mission in the Sudan had recently been extended by six months. However, it was clear that there were major shortcomings in the implementation of the Peace Agreement, which had not been signed by some factions. The international community should mobilize efforts to improve the situation, and the United Nations and the African Union should coordinate the implementation of the various initiatives. The Peace and Security Council had held a ministerial meeting in September 2006 and a high-level consultation in November 2006 with the five permanent members of the Security Council in order to establish acceptable conditions for implementing the Darfur Peace Agreement.

24. The Human Rights Council should adopt a decision based on the collective responsibility to contribute to the consolidation of peace and to protect human rights in the Darfur region in a fair, objective and transparent manner. A mission conducted by the President and Bureau of the Council would give a strong signal of support to those who were endeavouring to relieve the suffering of the people of Darfur, and deliver a stern warning to those who were attempting to undermine the Darfur Peace Agreement.

25. Mr. AL-RIYAMI (Observer for Oman) said that Oman welcomed the conclusion of the Darfur Peace Agreement and called on all parties that had not signed it to do so and to commit themselves to its implementation. He commended the efforts of the Government of the Sudan to end the suffering in Darfur. The Council should establish a mechanism to allow the international community to assist the Government of the Sudan in resolving the situation.

26. Mr. SOUFAN (Observer for Lebanon) said that the situation in Darfur deserved more than the mere adoption of resolutions that were overly political in nature and that might do more harm than good. The Council had heard divergent reports on the situation in Darfur, and it should send a mission to the region in order to obtain credible information. The President of the Council should lead a fact-finding mission to Darfur. The Government of the Sudan had taken a commendable step in inviting the members of the Council to visit the region.

27. Mr. OGOUM (Observer for Chad) said that the systematic violation of fundamental rights that had resulted in 200,000 deaths and the displacement of 2 million people in Darfur were currently being repeated in Chad. Since the Janjaweed militia was armed and largely controlled by the Government of the Sudan, its attacks in Chad were being carried out in the context of an international armed conflict and were subject to the customary and

convention-based rules for the conduct of hostilities. The Sudanese military authorities and members of the Government, together with the militias, could therefore be held responsible for the grave violations of humanitarian law committed in Chad.

28. The Janjaweed's attacks were apparently designed to kill, or at least force the displacement of, the populations of a number of villages in Chad, in particular in the area extending from Adré to Adé and in certain areas between Ouadi Azoum and Tissi. Major attacks had been carried out in Koloy and Ouadi Kadjo cantons, and had been followed by assaults on villages that had received refugees. Those attacks were racially motivated and were intended to force the local population to leave their land for good. The Chadian Government had established an emergency relief fund for the displaced persons and had made a contribution of 4 billion CFA francs, which was modest in comparison with the needs of the displaced persons.

29. Amnesty International had concluded that a serious humanitarian crisis was unfolding in eastern Chad. As in Darfur, the Janjaweed were attacking, killing and raping defenceless civilians. The international community must understand the full gravity of the situation in order to avoid a recurrence of the tragedy that had taken place in the 1990s in Central Africa. The Government of Chad would welcome a United Nations presence in eastern Chad to protect refugees and displaced persons and to secure the country's borders.

30. Mr. RESSLER (Observer for the United Nations Children's Fund (UNICEF)) said that the situation of women and children in Darfur was worsening. Although massive investment by the humanitarian community had reduced the global acute malnutrition and mortality rates, those rates remained perilously close to emergency levels. In some areas, more than one in five children under the age of 5 was acutely malnourished, and over 70 per cent of the population was experiencing food insecurity.

31. Since May 2006, a growing number of NGOs had been forced to withdraw staff from areas of Darfur because of growing insecurity. According to United Nations estimates, some 700,000 people had been left highly vulnerable owing to withdrawals of humanitarian staff. In July 2006, three employees of the State Water Corporation, the Fund's main partner in the provision of clean water and sanitation facilities to all communities in Darfur, had been killed while working in a camp for internally displaced persons, and in October 2006 nine State Water Corporation technical staff had been abducted by armed groups.

32. Although the Darfur Peace Agreement contained detailed provisions for the protection of children's rights, children were still being killed, maimed and abused. The report of the Secretary-General on children and armed conflict in the Sudan (S/2006/662) provided evidence of recruitment of children into armed groups by all sides. The international community, the Government of the Sudan and all parties to the conflict had a collective responsibility to stop the needless misery faced by millions of women and children. A political solution must be found before more lives were lost.

33. Mr. BITAR (Observer for the Syrian Arab Republic) said that the Sudanese Government's peaceful settlement of the conflict involving the Sudan People's Liberation Army in southern Sudan had proved that it was able to find solutions without the use of force, and his delegation was confident that the Government would also be able to settle the conflict in Darfur. While the international community must provide urgent humanitarian assistance to alleviate the

suffering in Darfur, it must not politicize the issue. Foreign interference in the internal affairs of the Sudan only exacerbated the problem and led to further suffering; such interference must be halted. The international community could help to overcome the crisis by providing support for the African Union's efforts to assist the Government of the Sudan and by facilitating the implementation of the Darfur Peace Agreement. The mission to Darfur should be led by the President of the Council, and should be carried out with the cooperation and consent of the Government of the Sudan.

34. Mr. TOMASI (Observer for the Holy See) said that the terrible suffering of people caught up in the conflict in the Darfur region would have long-range consequences. The disruption of agriculture greatly limited food production, inter-group relations were being exacerbated and the risk of regional destabilization was increasing. Traumatized refugees would find it hard to return to a normal life. Priority should be given to stopping the violence, destruction and impunity in Darfur. Active cooperation between the United Nations, the African Union and the Government of the Sudan could help to reduce the violence, prevent the conflict from spreading to neighbouring countries, and allow civilians to start rebuilding their lives and their region.

35. The Darfur Peace Agreement and the international community's commitment to assist in its implementation were positive developments. At the same time, practical steps needed to be taken, including the impartial collection of evidence, assessment of responsibilities, and renewed efforts to protect civilians, deliver assistance and disarm non-State groups. A just solution would be achieved when the fundamental human rights of the peoples of Darfur, particularly the right to life, to political and religious freedom and to a peaceful existence in their own territories, were respected. The conflict in Darfur provided an opportunity to address endemic problems in a spirit of cooperation in order to create a future of hope. The Council had a chance to find a constructive compromise that focused on the plight of the victims.

36. Mr. PINTER (Observer for Slovakia) said that, as a non-permanent member of the Security Council, Slovakia had welcomed the signing of the Darfur Peace Agreement. However, according to reliable reports, the situation had continued to deteriorate, with attacks on civilians, destruction of dozens of villages and clashes occurring in the capital of North Darfur. Moreover, the crisis had spilled over into Chad and the Central African Republic. Violations of human rights and international humanitarian law were often directed against the most vulnerable groups, including women, children and the elderly.

37. His delegation attached particular importance to the issue of impunity. In January 2005, the findings of the United Nations International Commission of Inquiry on violations of international humanitarian law and human rights law in Darfur, which had included experts from Italy, Egypt, Pakistan, South Africa and Ghana, had been released. The Commission had concluded that there was sufficient evidence of crimes no less serious and heinous than genocide. His delegation fully supported the investigation by the International Criminal Court of grave crimes committed in Darfur, in accordance with Security Council resolution 1593 (2005).

38. As a sponsor of draft resolution A/HRC/S-4/L.1, Slovakia underscored the need for the Council to reach a consensus on the text of a draft resolution. His delegation appreciated the Sudanese Government's cooperation with the Special Rapporteur on the situation of human rights in the Sudan, and supported the dispatch of an expert mission to Darfur.

39. Mr. PUTMAN-CRAMER (United Nations Office for the Coordination of Humanitarian Affairs) drew attention to the recent warning by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator that the coming weeks could be critical for the lives of more than 3 million people and might be the last opportunity to avert a humanitarian disaster in Darfur. Events in the region had deteriorated further: direct attacks against relief workers in all three states of Darfur had forced them to relocate; armed militias had attacked a convoy near Sirba in West Darfur and massacred some 30 civilians; and more villages had been attacked and destroyed, forcing more than 50,000 people to flee their homes in the past six weeks. Despite the increasing attacks on aid workers, the Government had refused to extend the moratorium on restrictions on humanitarian work beyond 30 January 2007.

40. Those alarming trends were spreading to Chad and the Central African Republic, with more violence against civilians, more forced displacement and much less access to those most in need of humanitarian assistance. For over two years, more than 13,000 relief workers had been risking their lives to relieve the suffering of Sudanese civilians. Humanitarian workers had been killed, attacked, robbed of their vital supplies and vehicles, beaten and threatened, and the Government of the Sudan was imposing further restrictions on them and contributing to a climate of fear and intimidation.

41. Urgent action was required to protect Darfur and the region from disaster. The Human Rights Council had a crucial role to play in increasing pressure on all parties, and the current special session would put the Council's credibility and effectiveness to the test. The members of the Council should set aside political divisions and send a strong and united signal that the Council would not allow one of the world's gravest human rights crises to continue.

42. Mr. MARCH (Observer for Spain) said that, at its current special session, the Human Rights Council must demonstrate its vigilance and its ability to react to the worsening of the humanitarian and human rights crisis in Darfur. The Council should consider, discuss and exchange information on the situation in Darfur, bearing in mind the immediate needs of the victims, and work towards an agreement on an effective follow-up mechanism. The main focus should be on fostering dialogue and cooperation and to assist those responsible for taking urgent measures to improve conditions in the region. The current session of the Council should result in a consensus on concrete measures to address the situation in Darfur, with the cooperation of the Government of the Sudan and all parties concerned.

43. Mr. FEYDER (Observer for Luxembourg) said that, since 2003, more than 200,000 people in the Darfur region had been killed and some 2 million had been displaced. In view of the deteriorating security conditions, he called on all parties to the conflict to put an immediate end to all hostilities against civilians and to respect international human rights and humanitarian law as well as the ceasefire agreements and the relevant Security Council resolutions.

44. The Government of the Sudan had the responsibility of ensuring adequate protection for the civilian population. His delegation considered it essential to reinforce international troops to halt the violence against civilians. Attacks on humanitarian workers were continuing, and his delegation called on all parties to ensure that such workers had unimpeded access to people in need of assistance.

45. The Council must also address the question of impunity. The Sudan must allow an independent and impartial judicial process for victims of human rights violations and cooperate fully with the follow-up mechanism that would be established by the Council at its current session.

46. Mr. BIN GHANEM (Observer for Yemen) said that his delegation hoped that the current special session would play a critical role in addressing the situation in Darfur, in a spirit of fairness and justice, and he urged all members to refrain from politicizing human rights concerns. The Council should adopt a cautious attitude to conflicting media reports and establish innovative means of verifying information.

47. The Darfur Peace Agreement constituted a first step on the path to peace. The Council and influential international parties, including the African Union, must ensure the implementation of the Agreement. It was clear that economic aspects had a direct impact on the crisis and that the population of Darfur required the assistance in developing a solid economic infrastructure.

48. His delegation supported the proposal that the President of the Council and members of the Bureau should conduct a fact-finding mission in Darfur. The Council's adoption of the draft resolution submitted by the Group of African States would help to pave the way for peace in Darfur and would demonstrate the Council's genuine desire to promote peace and respect for human rights.

49. Ms. FELLER (Assistant High Commissioner for Protection, Office of the United Nations High Commissioner for Refugees (UNHCR)) said that UNHCR had been conducting a programme of protection and assistance for displaced persons in Darfur since June 2004. In West Darfur alone, 700,000 people had been displaced as a result of intertribal fighting and attacks by armed militias and Government and rebel forces. The delivery of protection and assistance to the population was being increasingly hampered by the lack of security, and the Office's operations were currently confined to El Geneina and the immediate vicinity of UNHCR field offices in West Darfur.

50. The human consequences of the conflict were shattered families, severely abused women, traumatized children and destroyed livelihoods. There were continuing attacks on camps for internally displaced persons, and each new outbreak of hostilities drove more people off their land into the already overcrowded and ill-serviced camps. While UNHCR endeavoured to reach as many internally displaced persons as possible, it was too dependent on air assets, security escorts and an effective international military presence. Resources already on the ground were not being fully used. For instance, African Union firewood patrols, which had improved the security of women and girls, had been suspended in many locations across Darfur, even though rapes and assaults still occurred on a daily basis.

51. UNHCR hoped that the Council would reach agreement on how to alleviate the human rights and humanitarian consequences of the conflict. The Government of the Sudan must fulfil its responsibility to ensure stability and security for its population and for humanitarian workers, and all sides must recognize the neutrality and non-political nature of humanitarian work.

52. Mr. D'AVINO (Observer for Italy) said that Italy strongly supported the African Union Mission in the Sudan and the United Nations efforts to create conditions for a lasting peaceful settlement for Darfur. He hoped that the ongoing contacts for a strengthened peacekeeping initiative would soon produce concrete results.

53. His Government was deeply concerned at the worsening humanitarian and human rights situation in Darfur. In the past weeks, hundreds of civilians had lost their lives, and attacks against relief workers had worsened the situation of those most in need of assistance. Such human rights violations continued to be committed with impunity. In the light of the current situation in the Darfur region, the Council must take action consistent with its role and responsibilities.

54. Italy was encouraged by the Council's prompt response to the Secretary-General's appeal to address the situation in Darfur and by the widespread support of member States for the convening of the current special session. He hoped that the prevailing spirit of cooperation and consensus would inspire the work of the session as well as the future work of the Council, which should be based on dialogue, cooperation and shared values, rather than political confrontation.

55. Mr. MNATSAKIAN (Observer for Armenia) said that his delegation was concerned at continuing reports of population displacements and increased attacks on civilians in Darfur. Urgent action was required, and Armenia would welcome the emergence of a consensus regarding the dispatch of a mission to the region. The independence and impartiality of the sources on which the members would make their assessments should be at the core of the process. The Government of Armenia welcomed the cooperation between the Government of the Sudan and the Special Rapporteur on the situation of human rights in the Sudan.

56. Mr. PEREIRA MARQUES (Observer for Portugal) said that the international community should take measures to address the grave security and humanitarian crisis in Darfur. He appealed to all parties to end the hostilities and to join and implement the Darfur Peace Agreement. Portugal pledged its full support for the African Union Mission in the Sudan and for United Nations efforts to expand and reinforce it. The Government of the Sudan should comply with those objectives.

57. Portugal welcomed the willingness of the Government of the Sudan to cooperate with the Council. Since dialogue and cooperation would most effectively ensure the implementation of recommendations, he hoped that the Council would be able to reach a consensus on a credible and effective follow-up mechanism that would have a positive impact on the situation of the victims.

58. The mission to Darfur would make it possible to evaluate the human rights consequences of the crisis and to propose recommendations on ways of ending all violations of human rights law and humanitarian law and guaranteeing that the perpetrators of such violations would be brought to justice. He called on the Government of the Sudan to implement the recommendations that had already been made in that regard by the High Commissioner for Human Rights, the International Commission of Inquiry on Darfur and the Special Rapporteurs.

59. Ms. MILLAR (Observer for Australia) said that the special session provided the Council with an opportunity for meaningful action with broad-based support. The Council's credibility would be determined by the clarity and effectiveness of the outcomes of the current session, including the establishment of an effective follow-up mechanism. Her delegation was in favour of dispatching an assessment mission composed of independent human rights experts to Darfur as soon as possible.

60. The Australian Government had urged the Government of the Sudan and key members of the African Union and the League of Arab States to ensure that the Security Council's objectives, as outlined in Security Council resolution 1706 (2006), were met by an immediate end to the violence and a strengthened peacekeeping presence in Darfur. Since the outbreak of the conflict, Australia had provided significant humanitarian assistance to the Sudan and made available more than 15,000 humanitarian visas to Sudanese people, and had contributed personnel to the United Nations Mission in the Sudan.

61. Mr. NIRK (Observer for Estonia) said that his delegation was strongly in favour of dispatching an assessment mission of competent and independent experts, including the Special Rapporteur on the situation of human rights in the Sudan and the relevant thematic special procedures, to the Darfur region. The recommendations made on the basis of the assessment, together with the recommendations made previously by the Special Rapporteur, should be implemented without delay.

62. Mr. MARTABIT (Observer for Chile) said that the conflict in Darfur was spilling over into neighbouring countries. Moreover, the High Commissioner for Human Rights had recently stated that the Government of the Sudan and allied militias were responsible for the most serious violations of human rights and humanitarian law, and that attacks on villages, rape and forced displacement were continuing unabated. The Council should dispatch an assessment mission to Darfur that would report to the Council at its fourth session. The mission should include experts and other experienced and competent persons and should be led by a high-level eminent person.

63. Mr. MOAIYERI (Observer for the Islamic Republic of Iran) commended the Government of the Sudan for the positive initiatives that it had taken to implement the Darfur Peace Agreement and to cooperate with the United Nations, the African Union and civil society. His delegation was further encouraged by reports that the security situation was improving in most parts of Darfur. The African Union had an important role to play in containing the situation, and he called on the Council to adopt the proposals put forward by the Group of African States.

64. The humanitarian situation in Darfur was being increasingly politicized by one group of countries. It was clear that a cycle of violence was developing in a context of lawlessness in which rebels and armed groups had rejected the Darfur Peace Agreement, and it was imperative that all parties should respect international humanitarian law and human rights law.

65. The current session was being held at a time when a peace settlement was being successfully concluded. The outcomes of the session should therefore include a mechanism for maintaining peace, security and development.

66. Mr. TICHENOR (Observer for the United States of America) said that the Government of the Sudan and all armed groups, including the rebel groups that had not signed the Darfur Peace Agreement, should refrain from violence and pursue a peaceful solution to the crisis. He welcomed the decision by the African Union and the United Nations to hold a conference of non-signatories of the Darfur Peace Agreement.

67. Pending the restoration of peace and security, the Government of the Sudan should fulfil its responsibility to protect all individuals against human rights violations, particularly rape and the recruitment of child soldiers, and should take measures to end impunity. The Government should stop using the Janjaweed militia against innocent civilians in Darfur. The spread of violence to neighbouring countries posed a threat to regional stability. The Government of the Sudan should immediately and fully accept the Addis Ababa agreement of 16 November 2006, which called for a joint United Nations/African Union operation, of a predominantly African character, under United Nations command and control. The Sudanese Government had reached that agreement with the full participation of the United Nations, the European Union and the African Union, as well as observers from the permanent members of the Security Council. The international community would not accept the Sudan's attempts to renegotiate the Addis Ababa agreement, including its insistence that the United Nations play a subsidiary role and that command and control should be exercised by the African Union alone.

68. Mr. LOGAR (Observer for Slovenia) said that, while his delegation recognized the efforts of the Government of the Sudan to engage in peace agreements, the Sudan must fulfil its primary obligation to protect all of its civilians against all forms of violence and must ensure that human rights violations did not go unpunished.

69. The situation of children in Darfur was of particular concern. An estimated 1.8 million children had been affected by the conflict, and many had been displaced and subjected to sexual abuse. The appalling violence against children would have long-term consequences, and could perpetuate violence in future generations.

70. The current special session was a test of the Council's ability to "uphold the highest standards in the promotion and protection of human rights". The members of the Council should put aside political, regional, religious or cultural sympathies in order to enable the Council to make an objective and independent assessment of the situation of the civilian population of Darfur.

71. Ms. TÓTH (Observer for Hungary) said that her delegation was deeply concerned at the security, humanitarian and human rights situation in Darfur. Vulnerable groups, particularly women and children, deserved special attention. International human rights law and humanitarian law prohibited the targeting of civilians, the pillaging of civilian property and forced displacement, and the Government of the Sudan should not participate in such actions and should protect people from attacks. The Government should take measures to end impunity for human rights violations.

72. The international community already had a significant amount of reliable and credible information on the human rights situation in Darfur, including reports of the Secretary-General and OHCHR, the Special Rapporteur on the situation of human rights in the Sudan, and the

African Union. The Council should send an assessment mission to the Sudan in order to identify how best to assist the Government of the Sudan in alleviating the grave human rights situation in Darfur.

73. Ms. OVERVAD (Observer for Denmark) said that, at its current special session, the Council should try to find ways to prevent a further escalation of violence and human rights abuses in Darfur. All restrictions on the work of humanitarian organizations should be lifted at once. Her delegation was in favour of dispatching an independent expert mission to Darfur. While credible information on the situation in Darfur was already available, additional information would help the Council to agree on specific, effective and credible follow-up at its fourth session.

74. The international community had endorsed the principle of responsibility to protect and must comply with its obligations. All perpetrators of human rights abuses must be held accountable, and measures should be taken to end impunity.

75. Since the outset of the crisis, Denmark had provided support for humanitarian activities in Darfur, and it would continue to support measures to protect civilians in that region.

76. Mr. VERROS (Observer for Greece) said that the Security Council, the High Commissioner for Human Rights and NGOs had drawn attention to the grave humanitarian crisis in Darfur. Vulnerable groups, particularly women and children, were being subjected to appalling human rights violations. Moreover, the Security Council had recognized the jurisdiction of the International Criminal Court with regard to the perpetrators of human rights violations.

77. The Human Rights Council should focus its attention on preventing further atrocities and protecting the lives of innocent civilians. In that regard, his delegation was in favour of sending a special mission to the Sudan. The President of the Council could play a decisive role in establishing the composition of the mission.

78. Mr. STRØMMEN (Observer for Norway) said that all parties to the conflict in Darfur should comply with their obligation under international law to ensure free and unimpeded humanitarian access to the civilian population. The Government of the Sudan should assume its responsibility to protect the lives of its citizens.

79. Norway was concerned at the regional dimension of the conflict, particularly the spread of hostilities to Chad and the Central African Republic. The conflict threatened to destabilize the whole peace project in the Sudan, including the implementation of the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement. Only a credible political process could provide sustainable solutions to the crisis in Darfur. All parties, including the Government and the groups that had not signed the Darfur Peace Agreement, should immediately comply with existing ceasefire agreements. His delegation welcomed the three-phase plan of support to the African Union Mission in the Sudan and the six-month extension of the Mission's mandate.

80. While his delegation was in favour of dispatching an independent assessment mission to Darfur, it did not support the notion that the regular reports prepared by the African Union Mission in the Sudan, the Secretary-General and the High Commissioner for Human Rights were not credible and accurate. The assessment mission should focus not on fact-finding but on the human rights situation and protection needs, and should submit recommendations to the Council at its fourth session.

81. Mr. LEVANON (Observer for Israel) said that, while some members of the Human Rights Council had disputed the accuracy of information about the situation in Darfur, the atrocities in that region were well documented and there was no need for further evidence. The Government of the Sudan, which had adopted a policy of denial, neglect and blame-shifting, appeared to be unmoved by the situation in Darfur.

82. The tragedy in Darfur was a reminder that the international community had failed to act promptly to prevent genocide in the past. A Holocaust denial conference was currently being held in the Islamic Republic of Iran, and he wondered whether a conference denying that hundreds of thousands of innocent civilians had perished in Darfur would be held some 60 years in the future.

83. Mr. ABU-KOASH (Observer for Palestine) said that, while the Secretary-General had chosen to deliver a televised message on the occasion of the special session on Darfur, he had failed to address the Council during its previous special sessions on Palestine and Lebanon. The United Nations High Commissioner for Human Rights had also given the situation in Darfur far more attention than she had given to Israel's violations of human rights in Palestine. Israel had acted hypocritically in sponsoring the draft resolution on Darfur since, as an occupying power, Israel was committing a holocaust against the Palestinian people.

84. He welcomed the efforts of the Government of the Sudan and the African Union to address the situation in Darfur. The Human Rights Council and the international community should assist the Sudanese Government in bringing peace to the region. The Council's resolution should not reflect the concerns of a single group of States, but should endorse the concerns of the Group of African States as the primary concerned group.

85. Ms. LAURENSEN (Observer for New Zealand) said that her delegation was gravely concerned at the deepening human rights and humanitarian disaster in Darfur. Both the Human Rights Council and the Government of the Sudan should address the worsening security situation in Darfur and its consequences for the wider region. All parties to the conflict must put an end to the ongoing violence, sign the Darfur Peace Agreement and honour their commitments under that Agreement. New Zealand welcomed the efforts of international organizations, including the African Union and the United Nations, to support a ceasefire and peace agreement. The safety of agencies providing humanitarian assistance must be guaranteed in all areas, and those who attacked civilians and relief workers must be held accountable. Impunity must not be tolerated.

86. A United Nations mission would have the best chance of promoting and protecting human rights and monitoring the situation in Darfur and guaranteeing the safety of humanitarian workers and civilians. Her delegation therefore fully supported Security Council resolutions 1679 (2006) and 1706 (2006). The Government of the Sudan should accept a United Nations mission to protect civilians in Darfur, ensure the safe and unhindered delivery of

humanitarian aid and re-establish law and order. The Council should dispatch an independent assessment mission to Darfur and consider the recommendations of the mission at its next session.

87. Mr. VAN MEEUWEN (Observer for Belgium) said that the Government of the Sudan had the primary responsibility to protect civilians against human rights violations and to ensure that all persons responsible for such violations were tried and sentenced. The Government should implement the relevant resolutions of the Security Council, cooperate with the International Criminal Court and combat impunity. His delegation was in favour of dispatching an assessment mission composed of independent experts to Darfur.

88. Ms. MARTÍN (Observer for Nicaragua) said that her delegation recognized the efforts of the Government of the Sudan to resolve the conflict in Darfur, since a sustainable peace settlement was vital to protecting human rights. The Council should dispatch a special mission to Darfur to conduct an objective and independent assessment of the human rights situation. The Council should subsequently follow up on the mission's findings. The Government of the Sudan should continue to cooperate with OHCHR and other United Nations agencies.

89. Ms. FROMMELT (Observer for Liechtenstein) said that the Government of the Sudan had a primary obligation to protect civilians, in particular women and children, from all forms of violence. While it was regrettable that not all parties to the conflict had signed the Darfur Peace Agreement, the Government should not use that as a pretext for failing to protect the civilian population. Efforts to combat impunity were vital to preventing a further deterioration of the human rights situation in Darfur. The Government of the Sudan should cooperate with the Council, OHCHR and the International Criminal Court. All parties to the conflict should facilitate humanitarian access and halt attacks on relief workers. An expert mission, headed by or including the Special Rapporteur on the situation of human rights in Darfur, should be dispatched to the region.

90. Ms. VADIATI (Observer for the Islamic Republic of Iran), speaking in exercise of the right of reply, said that it was ironic that Israel, an occupying Power, sought to divert attention from the matter at hand. She wished to point out that the conference taking place in Tehran was not about Holocaust denial. Israel itself had been committing a holocaust against the Palestinian people for over 60 years.

The meeting rose at 5.55 p.m.