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(Geneva, 10-14 December 2007)

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Statement by

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on behalf of the European Union

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Report of the Darfur Group of Experts

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Geneva, 11 December 2007

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HUMAN RIGHTS COUNCIL

6TH SESSION, 2ND PART (10-14 DECEMBER 2007)

REPORT OF THE DARFUR GROUP OF EXPERTS

Mr. President,

I am speaking on behalf of the European Union. The Candidate Countries Croatia and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as Ukraine, the Republic of Moldova, Armenia, and Georgia align themselves with this declaration.

Allow me to start by welcoming the excellent report of the Group of Experts and commending the seven Special Rapporteurs for their excellent collective work done so far. This is an interesting new instrument of the HRC: The compilation of all the dispersed UN recommendations to improve the dire human rights situation in Darfur and the elaboration of timeframes and indicators for the implementation of these recommendations were a major step forward in creating a mechanism that can have a concrete positive impact in the lives of the people of Darfur.

The second task that the Council entrusted the Group of Experts, namely the collection of reliable information regarding the implementation by the Government of Sudan of these recommendations and the assessment of their real impact, has only now started. The report we are now examining gives us some encouragement regarding the potential positive results of this exercise. At the same time, however, it clearly demonstrates that much still needs to be done.

* *Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.*

Starting by the positive aspects, we acknowledge the efforts of the Government of Sudan to cooperate fully with the Group of Experts and implement some of the recommendations. We welcome the open and constructive dialogue that has been taking place and encourage the continuation of this fruitful relationship. We also welcome the fact that Sudan did not hesitate in engaging in this exercise at a high level, bringing ministerial-led delegations to Geneva for consultations with the Group of Experts.

However, the report of the Group of Experts also clearly shows that the bulk of recommendations fall under the categories where "activities or, at least, initial steps, were undertaken, but little or no tangible impact has been reported". There are also an unacceptably high number of recommendations that have not been implemented at all. The report also indicates that, although many IDP's have recently returned to their homes, a high number of people have recently been displaced. Violence against women continues to be widespread and humanitarian workers continue to risk their lives everyday. Impunity continues to reign and no perpetrators of human rights violations have been brought to justice. This state of affairs is extremely worrying and means that the Government of Sudan, as the primary responsible for the protection and promotion of human rights in Sudan, but also we all, the international community and this Council as the initiator of this mechanism, have not yet been able to address adequately the suffering of the countless victims of human rights violations in Darfur.

It is our common responsibility not to give up and continue doing all that we possible can to stop human rights violations in Darfur, assist victims of past violations and bring to justice those who are responsible for these violations.

We therefore ask this Council, Mr. President, on the basis of the present report, to:

- 1) Urge the Government of Sudan to fully assume its human rights obligations and to continue and intensify its efforts to implement without delay the recommendations identified by the Group of Experts in accordance with the specified timeframes and indicators.
- 2) Call upon all parties to put an end to all acts of violence against civilians, with special focus on vulnerable groups, including women, children and internally displaced persons, as well as human rights defenders and humanitarian workers.
- 3) Urge the Government of Sudan to address urgently the question of impunity, by thoroughly investigating all allegations of human rights and international humanitarian law violations, promptly bringing to justice the perpetrators of these violations and cooperating with the International Criminal Court. In this regard, it is totally unacceptable that a person indicted by the ICC not only has not been brought to justice, but even continues to hold a governmental position linked to humanitarian affairs and has recently been appointed to conduct investigations regarding human rights violations. The recent release from detention of another individual indicted by the ICC is another serious setback in the combat against impunity.

We also consider, and we hope that there will be a broad consensus in this Council on this question, that the Group of Experts should be asked to continue carrying on its excellent work until the task it has been mandated to do is finished. The fact that most short-term recommendations have not yet been implemented would, by itself, justify the prolongation of the mechanism. But we cannot forget that the Group of Experts, in its June report, also identified medium-term recommendations with a one-year timeframe. Obviously, the assessment regarding the implementation of these recommendations can only take place in June 2008 and the mandate of the Group of Experts has to be extended until then.

The Group of Experts must continue to work in a spirit of constructive dialogue with the Government of Sudan and should be invited by the latter to visit Darfur in order to assess on the ground the implementation of the recommendations and its concrete impact in the life of the people we want to protect.

Mr. President,

At the same time, we all have to continue to contribute actively for the improvement of the situation in Darfur. This can be done by positively engaging in the decisions of this Council and of the UN in general regarding Darfur. Or through contributing with troops to the AMIS and the future AU/UN hybrid force, as so many African countries and countries around the world have been doing, with great sacrifice. Technical and financial support is also needed, as the one provided by UN agencies and officials, including the Office of the High Commissioner for Human Rights. The EU has also been heavily engaged in this support: Only in 2007, the EU and its Member States donated 330 Million Euros in humanitarian support to Sudan, including on human rights programmes useful for the implementation of the recommendations we have been discussing. The EU and its Member States also contributed 460 Million Euros to the AMIS since this mission started and will be supporting the future AU/UN hybrid force.

Notwithstanding this support by the international community, we cannot forget that it is the Government of Sudan that holds the primary responsibility to protect and promote the human rights of the people of Darfur. We welcome Sudan's constructive engagement with the Council and we urge that the Government of Sudan will continue to cooperate with the Group of Experts with the sole aim of improving the human rights situation in Darfur.

Thank you, Mr President