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(Geneva, 10-14 December 2007)

Statement by

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Permanent Representative of Portugal

on behalf of the European Union

Review, rationalization and improvement of mandates

Special Rapporteur on the situation of human rights in the Sudan

Geneva, 13 December 2007

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HUMAN RIGHTS COUNCIL

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

Review, rationalization and improvement of mandates

Special Rapporteur on the situation of human rights in the Sudan

Thank you, 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, and the EFTA country Iceland, member of the European Economic Area, as well as Ukraine, the Republic of Moldova, Armenia and Georgia align themselves with this statement.

The European Union would like to express its strong support for the mandate on the situation of human rights in Sudan and for the excellent work Ms. Sima Samar has been performing in its fulfilment.

Through it, the Commission on Human Rights and this Council have been able to follow closely the situation in Darfur, where gross and systematic violations of human rights and grave breaches of international law continue to persist. Two days ago, this Council had the opportunity to discuss that situation with greater detail. However, while we all must continue to focus on Darfur and on improving its dire security, human rights and humanitarian situation, we cannot ignore human rights violations occurring elsewhere in Sudan. Therefore, we welcome the references of the Special Rapporteur's report to the General Assembly A/62/354 regarding other regions of Sudan and her detailed analysis and recommendations which confirm that the situation remains grave in various parts of the country and that the mandate is still clearly necessary to help improve the human rights situation in the country.

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

Mr. President,

The EU continues to be strongly concerned with the widespread impunity in Sudan. The Special Rapporteur refers that justice and accountability continues to be a challenge, despite the establishment of investigative committees. Their findings have not been made public and the Government continues to fail in holding perpetrators accountable. The EU is particularly disturbed with the fact that an individual that has been indicted by the ICC for war crimes not only has not been brought to justice, but continues to hold a position in the Government and has recently been appointed as co-chair of a governmental Human Rights Committee, and by the recent release from prison of another person likewise indicted by that Court. The Special Rapporteur can play a very important role in the combat against impunity, by referring to specific situations and providing technical assistance. But it is the Government of Sudan who has the primary responsibility here and it is of the utmost importance that it decides to bring to justice those responsible for human rights violations and ensures the respect for the rule of law through transparent investigative processes.

The EU also remains deeply concerned about repression of demonstrators, arbitrary detentions of members of the political opposition, the persistence of torture, and that the curtailment of freedom of expression and freedom of press continue to occur, as reported by the Special Rapporteur. This is especially alarming as Sudan is preparing for elections in 2009.

While noting a decrease in the cases that have been reported, the EU continues however to be worried with the harassment faced by human rights defenders in Sudan. Cases were documented to the UN of people being arrested, detained and physically abused for voicing their concerns regarding human rights violations and the work of NGOs has been repeatedly obstructed. We also underscore the necessity of guaranteeing the security of humanitarian workers and humanitarian access.

The EU also condemns the use of the status of humanitarian NGO to perpetrate actions that violate the law and urges that all cases are thoroughly investigated and its authors brought to justice. However, it is fundamental not to allow that the condemnable actions of a few individuals put in cause the extraordinary humanitarian work developed by thousands of volunteers in Sudan.

We are also concerned at the slow pace of the implementation of the Comprehensive Peace Agreement between the Government of Sudan and the SPLM, which led to some tensions in the past weeks. Its full implementation would improve the human rights situation in Sudan and we believe that the Special Rapporteur can play a role in providing technical assistance to foster the implementation of the human rights dimensions of the CPA.

The Special Rapporteur has also been calling our attention to the persistent violation of the human rights of women in Sudan. The EU welcomes the new National Policy for Women Empowerment that was enacted in March 2007, which includes eradication of

harmful traditions and the application of laws that protect women's rights. Nevertheless, sexual violence continues to affect many women and female genital mutilation is still widely practiced. Women continue to be placed in detention on charges of adultery or for family disputes and, despite the calls for positive action by the interim Southern Sudan Constitution, women's participation in public affairs remains limited. This is another area where more technical assistance, including through the Special Rapporteur, can have a positive impact.

Mr. President,

For all the reasons stated above, the EU believes that it is clear that the human rights situation in Sudan continues to deserve the close attention of this Council and that the mandate of Special Rapporteur on the situation of human rights in Sudan has to be extended. This mandate is an important technical and advisory mechanism that can contribute for an effective improvement of the situation. We welcome the good and constructive cooperation that has been existing between the Government of Sudan and the Special Rapporteur and we encourage its continuation. Our common goal is the improvement of the human rights situation in Sudan. We welcome the fact that the decision to extend this mandate for another year will be taken by consensus, thereby demonstrating the commitment of this Council to address the situation of human rights in Sudan. We acknowledge the spirit of constructive engagement which has made this consensus possible.

Thank you, Mr. President.
