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Statement of Walter Kalin to the Human Rights Council introducing the Darfur Experts Group Interim Report on 24 September 2007

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Excellencies, Ladies and Gentlemen,

It is my honour to address the Human Rights Council in my capacity as Rapporteur and member of the Experts Group on Darfur which the Council, through resolution 4/8 of 30 March 2007, established to ensure the effective follow-up and implementation of existing resolutions and recommendations on Darfur.

The group comprises the Special Rapporteur on the situation of human rights in the Sudan who presides over the group and who is prevented from being with us today, 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 human rights of internally displaced persons, the Special Rapporteur on the question of torture and the Special Rapporteur on violence against women, its causes and consequences.

The experts group recalls its mandate to ensure effective follow-up and to foster the implementation of relevant pre-existing resolutions and recommendations on Darfur in a process of facilitation and dialogue with the government of Sudan. The group's aim is to focus on the status of implementation of such recommendations in a way that complements and supports all relevant human rights special procedures mandates concerned with Darfur.

The experts group presented its first report to the Human Rights Council (A/HCR/5/6) on 13 June 2007 in which it reiterated its concerns regarding the human rights situation in Darfur, identified priority areas for implementation, and compiled a number of specific recommendations to be implemented over the short- and medium term. The group also urged the Government of the Sudan to implement without delay the recommendations it committed itself to put into practice and to continue its dialogue with the experts group on the implementation of other recommendations made by the group. The Annex to the group's June report is the Compilation of Recommendations, including relevant time-frames and indicators for assessing implementation.

On 20 June 2007, the Council requested "the group of experts to continue its work for six months and to submit an update to the session of the Council in September 2007 and a final report to the following session of the Council" (A/HRC/5/L.6).

The interim report I am introducing today on behalf of the group and its two Annexes has been duly submitted to the Council in accordance with this resolution.

The group has maintained the methodology it had earlier adopted, namely:

- to cooperate and work in a transparent manner with the Government of the Sudan and other relevant partners within the international community;
- to identify obstacles to implementation of previous recommendations; and
- to differentiate short from medium term recommendations with a view to assisting the Government of the Sudan to implement fully the recommendations identified in the annex to its first report (A/HRC/5/6).

The group was pleased to receive from the Government of the Sudan, on 24 July 2007 a document entitled "Plan of the Advisory Council on Human Rights towards Implementation of the Short-Term (July-September) Recommendations of the experts group. This Plan of Action (Annex I) lists a series of workshops, training seminars and other activities and identifies the financial needs of the Government of the Sudan for their implementation.

The group also appreciated receiving on 21 August 2007 from the Government a progress report on the implementation of the short-term recommendations which we have appended as Annex II and supplementary information continues to be received.

Moreover, the experts group met in Geneva from 17 to 19 September 2007 to review the status of implementation. On 18 September, it devoted a full day to a very constructive in-depth discussion with a high level inter-ministerial delegation and representatives from the Permanent Mission of the Sudan to discuss areas of progress, obstacles encountered, and areas that required the Government's urgent attention. On 19 September, the experts group met to take account of the Government's update and to reflect further upon measures which the Government should adopt to ensure full implementation of the group's recommendations.

Also, the group met with the African Commission on Human and Peoples' Rights Special Rapporteur on Asylum Seekers, Refugees, Internally Displaced Persons and Migrants in Africa who was appointed focal point to liaise with the experts group on 19 September 2007 in Geneva to exchange views and pledge future cooperation. The group also contacted the Chairman of the Darfur-Darfur Dialogue and Consultation (DDDC).

The experts group wishes to convey its appreciation to the Government of the Sudan for its excellent cooperation during the period under review as well as its efforts to address the recommendations compiled by the group, to report in a timely fashion back to the group, and to engage in an open and constructive dialogue through its high level inter-ministerial delegation and representatives from the Permanent Mission of the Sudan to the United Nations in Geneva.

In its meetings, the group continued to focus on the situation of human rights defenders, the issue of humanitarian access, accountability and justice, and the monitoring of implementation of recommendations in their totality.

At this stage unfortunately, the group is not yet in a position to provide, on the basis of the information received so far from the Government of the Sudan and other relevant sources, including UNMIS and other UN bodies, the human rights

mechanisms of the African Union, and the Chairman of the Darfur-Darfur Dialogue and Consultation, the Council with a detailed and objective assessment of the present status of implementation of the compiled recommendations and the eventual impact of such implementation on the actual human rights situation on the ground. Nevertheless, it is possible to note at this time that while certain recommendations have been at least partially implemented, it is not in a position to report that a clear impact on the ground has been identified yet. Regarding other recommendations, first steps towards implementation have been taken, whereas still other recommendations remain, at least for the present time, without implementation. The experts group reiterates that the ultimate measure of the Government's implementation of the recommendations compiled by the group has to be concrete improvement in the human rights situation on the ground in Darfur

The experts group will provide the Human Rights Council with an as comprehensive as possible description and analysis of the status of implementation in its final report to be presented in December 2007. It wishes to give the Government of the Sudan the maximum possible time in which to undertake initiatives responding to its recommendations and to report back on those measures and any impact they may have had.

The group also remains keen to obtain as much detailed information as possible from all relevant sources, including UNMIS and other UN bodies, the appropriate human rights mechanisms of the African Union, and the Chairman of the Darfur-Darfur Dialogue and Consultation, so that it has a more clear and detailed sense of the situation on the ground. In this regard, it will make a concerted effort to obtain and analyze pertinent information in the very limited time available before it must submit its final report.

The experts group calls on the Human Rights Council to (i) Urge the Government of the Sudan to continue and intensify its efforts to implement, without delay, the recommendations compiled by the experts group in accordance with the specified time-frames and indicators (A/HCR/5/6); (ii) Call upon the Government of the Sudan to address impunity and ensure that all allegations of violations of human rights and international humanitarian law are duly investigated and that the perpetrators are promptly brought to justice; (iii) Reiterate its call upon all parties to the conflict to put an end to all acts of violence against civilians, with special focus on women, children, the elderly, persons with disabilities, and internally displaced persons, as well as humanitarian workers; (iv) Invite relevant United Nations bodies and agencies, including the Office of the High Commissioner for Human Rights, to provide Sudan with support and technical assistance, in accordance with assessed needs, for the implementation of these recommendations; (v) Call upon donors to provide, on the basis of needs assessment, funds for this support and technical assistance.