

**Address by
Ms. Louise Arbour
UN High Commissioner for Human Rights**

**on the occasion of the
4th Special Session of the Human Rights Council**

**12 December 2006
Geneva**

Mr. President,
Distinguished Members of the Human Rights Council,
Ladies and Gentlemen,

I welcome this opportunity to address you today at your fourth special session. The unrelenting tragedy in Darfur demands the commensurate engagement and vigilance of the Human Rights Council.

Civilians continue to be the target of deliberate and devastatingly brutal attacks. The United Nations Secretary-General pointed out that in the past six weeks alone, 80,000 people have been forced to flee their homes, several hundred civilians, including women and children, have been killed. Mass rape and other egregious human rights abuses have not subsided. A lack of accountability allows and even emboldens perpetrators to hold sway over the population in Darfur. The spill-over of the conflict has now engulfed parts of Chad and of the Central African Republic.

In my statement to the Council last month, I noted that the same atrocities and violations of international humanitarian law, which led the Security Council to refer the case to the International Criminal Court in January 2005, keep occurring on a daily basis. On that occasion, I summarized the facts that determine the urgency and gravity of the situation. To provide a more comprehensive picture of the deteriorating conditions in Darfur, my Office has gathered an extensive compilation of documents, which includes reports from our field work since 2004, as well as material from other UN sources. A selection of these documents, including a briefing paper prepared especially for this session, is available at the back of the room. What emerges from these documents is a compelling, factual account of the systematic failure to prevent violence in Darfur, to protect the civilian population, and to bring the perpetrators to justice. All documents are also available for consultation on our website www.ohchr.org/english/countries/sd/index.htm.

Ladies and Gentlemen,

The failure to prevent, to protect and to provide justice must prompt this Council, the whole international community and, above all, the Government of Sudan to enforce all the measures pledged or agreed upon thus far, which taken together and implemented, would help to deliver relief, justice and remedy to the people of Darfur.

In the face of ongoing violations and in the void of meaningful initiatives on the ground, the May 2006 Darfur Peace Agreement between the Government of Sudan and some of the rebel factions needs to be revived and enforced. Efforts must be also made to bring all groups into its fold. As it is, there is no peace dividend to speak of, no apparent willingness to implement the agreement's salient features, and no meaningful protection for civilians.

All information collected since late 2005 points to an exacerbation of the previous pattern of abuses, including:

- Increased ground attacks on civilians by the Sudanese Armed Forces and large groups of armed men. While some of these attacks have been attributed to rebel groups and tribal in-fighting, eyewitnesses and victims described many of them as coordinated operations between government forces and associated militia.
- Indiscriminate bombardment by Government planes.
- Civilian casualties, civilian displacement, and pillaging of civilian property due to Government, militia, rebel and bandit attacks.
- Hindrance of humanitarian access to people in need.
- Threats of murder, sexual violence, other physical assault and robbery which prevent internally displaced persons from leaving the camps and returning to their land.
- Arbitrary arrest and detention, as well as torture and cruel, inhuman, and degrading treatment by Government security forces.

Ladies and Gentlemen,

Our observations and other available information confirm that what is unfolding in Darfur cannot be simply dismissed as an escalation of tribal rivalries.

Moreover, according to the UN Panel of Experts of the sanction committee on Sudan, an inflow of weapons from neighboring countries contributes to fuel the conflict. The panel concluded that not only has the Government of Sudan failed to disarm militia as required by the Darfur Peace Agreement, but that there is credible evidence pointing to the responsibility of the Government in upgrading the militia's arsenals and mobility.

The gravity of the situation is compounded by the rebels' abusive conduct. They, too, are responsible for killing, raping, maiming, torturing and destroying the livelihoods of civilians who have the misfortune of standing in their destructive path. And they, too, must be held accountable for such violations of international human rights and humanitarian law as it applies to non-State actors.

Yet impunity is rampant. The vast majority of crimes are not prosecuted and go unpunished at all levels, from foot-soldiers up to high-level Government officials and rebel leaders with command responsibility. In response to national and international criticism, the Government did put in place mechanisms to hold parties to the conflict accountable. But these mechanisms have yet to prove effective. Only one high-ranking official was ever charged. He was later acquitted. Ten State officials were convicted by special courts, but they were all low-level officers.

Members of the Human Rights Council,

Almost two years ago, the International Commission of Inquiry on Darfur issued a series of recommendations that, if implemented, would have provided a measure of hope and justice to the people of Darfur. After extensive investigations, the Commission highlighted concrete steps that the Government of Sudan should take to put an end to impunity. It also ascertained the Government's specific links to, and support for, militia responsible for serious human rights violations. As a result, the UN Security Council referred the situation in Darfur to the International Criminal Court. Later, targeted sanctions against Sudan were imposed by the Security Council.

The desperate plight of the people of Darfur has for too long been neglected or addressed with what the victims should rightly regard—and history will judge—as meek offerings, broken promises, and disregard. This Council has taken the important step of convening a special session to tackle the serious and pressing situation in Darfur. Victims and other vulnerable civilians are entitled to expect from you a credible response.

Thank you