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HUMAN RIGHTS COUNCIL  
Ninth session  
Agenda item 4

**HUMAN RIGHTS SITUATIONS THAT REQUIRE THE COUNCIL'S ATTENTION**

**France (on behalf of the European Union): draft resolution**

**9/... Situation of human rights in the Sudan**

*The Human Rights Council,*

*Guided* by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

*Reaffirming* that all Members States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable international human rights instruments,

*Reaffirming also* Commission on Human Rights resolution 2005/82 of 21 April 2005, and Council resolutions 6/34 and 6/35 of 14 December 2007 and 7/16 of 27 March 2008,

*Bearing in mind* the report on the situation of human rights in all regions of the Sudan (A/62/354) presented by the Special Rapporteur and urging the implementation of the recommendations contained therein,

*Recalling* Council resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

1. *Takes note* of the reports of the Special Rapporteur on the situation of human rights in the Sudan (A/HRC/9/13) and the status of implementation of recommendations compiled by the Group of Experts on Darfur (A/HRC/9/13/Add.1);

2. *Acknowledges* the steps taken by the Government of the Sudan to strengthen the human rights legal and institutional framework, principally in law reform, but expresses concern that significant parts of the Comprehensive Peace Agreement have yet not been implemented;

3. *Expresses its deep concern* at the overall grim situation of human rights in all parts of the Sudan, including arbitrary arrests and detention, exacerbated restrictions on freedom of expression, association, assembly and movement across the country, and the lack of justice and accountability for serious crimes;

4. *Calls on* the Government of the Sudan to accelerate the implementation of the Comprehensive Peace Agreement and to establish the remaining commissions, in particular the finalization of the establishment of the national human rights commission, in accordance with the Paris Principles;

5. *Also calls on* the Government of the Sudan to continue and intensify its efforts for the promotion and protection of human rights, by taking all possible concrete steps to improve the human rights situation;

6. *Takes note* of initial measures taken by the Government of the Sudan to implement the recommendations of the Group of Experts and to address human rights concerns, including the deployment of police personnel in Darfur and the sentencing of several perpetrators of serious violations of human rights, but notes that most of the recommendations have not yet been implemented;

7. *Urges* the Government of the Sudan to continue and intensify efforts to implement the recommendations compiled by the Group of Experts on the situation of human rights in Darfur, in accordance with the specified time frames and indicators;

8. *Expresses its deep concern* at the seriousness of the ongoing violations of human rights and international humanitarian law in Darfur, including land and air attacks by Government forces on civilians, killings, arbitrary arrest and detention of civilians, violence and sexual abuse of women and children, and the destruction of civilian objects, as well as attacks by armed groups on humanitarian aid convoys, including killings and abductions of humanitarian aid personnel and the diversion of humanitarian aid;

9. *Calls on* all parties to respect their obligations under international human rights law and international humanitarian law, in particular with regard to the protection of civilians, and to end all attacks on civilians, with a special focus on vulnerable groups, including women, children and internally displaced persons, as well as human rights defenders and humanitarian workers;

10. *Stresses* the primary responsibility of the Government of the Sudan to protect all its citizens, including all vulnerable groups;

11. *Reiterates its call* upon the signatories of the Darfur Peace Agreement to comply with their obligations under the Agreement and calls upon non-signatory parties to join in and to commit themselves to the Agreement in compliance with relevant United Nations resolutions;

12. *Urges* the Government of the Sudan to address the prevailing impunity and to ensure that all allegations of past and ongoing violations of human rights and international humanitarian law are duly investigated and that the perpetrators are brought to justice promptly, in particular those with command responsibility;

13. *Calls on* the Government of the Sudan to observe due judicial process strictly, in particular for those accused of serious crimes, and to hold impartial, transparent and comprehensive inquiries to investigate allegations, identify perpetrators and hold them accountable;

14. *Urges* all parties to the conflict to fully cooperate with the United Nations Mission in the Sudan and the African Union-United Nations Hybrid Operation in Darfur, in particular with their mandate to protect civilians and prevent violations of international human rights law, and to allow humanitarian agencies to move freely and safely throughout Darfur and the Sudan to carry out their vital work;

15. *Decides* to extend for one year the mandate of the Special Rapporteur on the situation of human rights in the Sudan, in accordance with Council resolution 6/35;

16. *Urges* the Government of the Sudan to cooperate fully with the Special Rapporteur and to respond favourably to her requests to visit the Sudan and to provide her with all necessary information so as to enable her to fulfil her mandate even more effectively;

17. *Requests* the Special Rapporteur to assess the needs of the Sudan in the context of her mandate and to mobilize the necessary international technical and financial support to the Sudan in the field of human rights, and invites relevant United Nations bodies and agencies, including the Office of the United Nations High Commissioner for Human Rights, to continue to provide support and technical assistance to the Sudan in the field of human rights, in accordance with assessed needs, and calls upon donors to also continue to provide financial and technical assistance and required equipment for the improvement of the human rights situation in the Sudan;

18. *Also requests* the Special Rapporteur to further ensure effective follow-up and to foster the implementation of the remaining recommendations identified by the Group of Experts through an open and constructive dialogue with the Government of the Sudan, and to include information in that regard in her next report;

19. *Further requests* the Special Rapporteur to present to the Council her outstanding annual report at its tenth session in March 2009 and her following report at its twelfth session in September 2009;

20. *Calls upon* the Secretary-General to provide the Special Rapporteur with all necessary assistance to enable her to discharge her mandate fully, including by enabling any required consultations in this regard;

21. *Decides* to pursue consideration of the matter in accordance with its annual programme of work.

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