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HUMAN RIGHTS COUNCIL
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Written statement* submitted by B'nai B'rith International (BBI), a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 December 2006]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Position of B'nai B'rith International Regarding the Urgency of Addressing Darfur

In 2005, B'nai B'rith International brought the issue of Darfur before the Commission on Human Rights and has since played an important role in campaigning on behalf of the Darfuri people. We intend to continue monitoring this situation closely and speaking out before the Council and we hope that this Fourth Special Session will serve as a better model for such sessions in the future. We urge members to adopt a strong resolution that takes the following concerns into consideration.

B'nai B'rith International applauds the Western group and others for finally convening a special session on Darfur. This fourth special session on Darfur reflects the type of session the Human Rights Council was designed to hold. It voices universal concern regarding the lives of vulnerable civilians under siege in Darfur. The United Nations Coordinator for Humanitarian Affairs Jan Egeland recently stated that the situation in Darfur is rapidly disintegrating as are related situations in Chad and the Central African Republic. Many U.N. staff and representatives of non-governmental organizations have now evacuated from Northern Darfur due to the violence.

Although it is long overdue we hope that this session will provide the necessary protection that has been denied the people of Darfur. In order for a resolution of the fourth special session to be a credible tool in protecting the most vulnerable, it must urge the Government of Sudan to disarm and neutralize the janjaweed, to stop the atrocities in Darfur, and to accept as soon as possible a U.N. presence in Darfur. The Special Rapporteur on Sudan must be allowed to fulfill her duty in reporting on all parties active in the region. Before the Darfur Peace Agreement is completely nullified by actions on the ground, we urge the parties that did not sign it to do so and that those who did sign it immediately implement their commitments. Further, we support the implementation of relevant Security Council resolutions agreeing to a U.N. presence in Darfur and urge the Sudanese government to fulfill its commitment to allow the speedy development of an expanded hybrid force of peacekeepers between the African Union and U.N. and to allow the establishment of a full United Nations force in Darfur as soon as possible.

Atrocities in Darfur have been committed by the janjaweed, with the aid of the Sudanese Popular Defense Force and the air force, and the complicity of the Government of Sudan and its ruling National Congress Party. While the May 2006 Darfur Peace Agreement commits the Government of Sudan to restrict the Popular Defense Force to their headquarters, garrison sites, cantonments or communities (paragraph 315a), that should have been done long before the agreement was signed.

As well, there is no real effort within Sudan to investigate and prosecute the crimes which have been committed there. The Government of Sudan grants effective immunity for the crimes of its forces and is accused of being complicit in said crimes. The clearest proof of the ability of the Government of Sudan to control the janjaweed is the Government's own admission. The May 2006 Darfur peace agreement mentions the janjaweed 27 times, though they are not party to the agreement. Under that agreement, the Government of Sudan undertakes to neutralize and disarm them like the Popular Defense Forces, by restricting the janjaweed headquarters, garrison sites, cantonments and communities.

Obviously, if the Government of Sudan agreed to stop the janjaweed in May 2006, they should be able to do so now. Yet, they chose up to now not to do so. That failure to prevent the crimes of the janjaweed amounts to complicity. Even if when it first began, the Government of Sudan could claim ignorance of the janjaweed's actions, it is impossible to claim ignorance now. There are many different ways in which the Government of Sudan has contributed to the crimes of the janjaweed. But the simplest and most obvious is their failure to implement their commitment to the Darfur Peace Agreement and their failure to investigate or prosecute any crimes.

When this Council hears evidence of the atrocities in Darfur and considers the draft resolutions at hand, members should remember that the Government of Sudan knew this was going to happen and could have prevented such atrocities by several means, for example: by ordering the Popular Defense Forces to stop; by disarming and neutralizing the janjaweed; by requiring that the janjaweed and the Popular Defense Forces return to their headquarters, garrison sites, cantonments or communities; or by ordering the investigation and prosecution of the Popular Defense Forces and janjaweed. But the Government did nothing.

In closing, we would also like to express our disappointment at the grave difference with which this special session and its predecessors have been approached. The Human Rights Council, which was hoped to stop the politicization of human rights as had occurred with the Commission on Human Rights, disappointed many with its quick and prejudiced resolve to focus exclusively on Israel. We hope that this session will be more representative of future ones and that it marks a change in the Council's ability to adequately address the most severe human rights situations in the world.

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