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### HUMAN RIGHTS COUNCIL

Fourth special session

#### SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,  
on Wednesday, 13 December 2006, at 3 p.m.

President: Mr. DE ALBA (Mexico)

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DARFUR” (continued)

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The meeting was called to order at 3.30 p.m.

REQUEST OF THE PERMANENT REPRESENTATIVE OF FINLAND, ON BEHALF OF 34 STATES MEMBERS OF THE HUMAN RIGHTS COUNCIL, TO CONVENE A SPECIAL SESSION OF THE COUNCIL “ON THE HUMAN RIGHTS SITUATION IN DARFUR” (continued) (A/HRC/S-4/L.1-L.3)

Draft decision on the situation of human rights in Darfur

1. The PRESIDENT said that, after extensive informal consultations, consensus had been reached on the text of a draft decision. The text of the draft decision read:

*“The Human Rights Council,*

“1. *Expresses* its concern regarding the seriousness of the human rights and humanitarian situation in Darfur;

“2. *Welcomes* the signing of the Darfur Peace Agreement, urges its full implementation, and calls upon parties who have not signed it to do so, and upon all parties to observe the ceasefire;

“3. *Welcomes* the cooperation established by the Government of the Sudan with the Special Rapporteur on the situation of human rights in the Sudan and calls upon the Government to continue and intensify its cooperation with the Human Rights Council, its mechanisms, and the Office of the High Commissioner for Human Rights;

“4. *Decides* to dispatch a High-Level Mission to assess the human rights situation in Darfur and the needs of the Sudan in this regard, comprising five highly qualified persons, to be appointed by the President of the Human Rights Council following consultation with the members of the Council; as well as the Special Rapporteur on the situation of human rights in the Sudan;

“5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all administrative, technical and logistical assistance required to enable the High-Level Mission to fulfil its mandate promptly and efficiently, in coordination with the President of the Human Rights Council and also requests the latter to consult as appropriate with the concerned country;

“6. *Requests* the High-Level Mission to report to the Council at its fourth session.”

In the light of the consensus decision, draft resolutions A/HRC/S-4/L.1 and L.2 and document A/HRC/S-4/L.3, containing amendments to draft resolution A/HRC/S-4/L.1, had been withdrawn by the sponsors.

2. Mr. JAZAÏRY (Algeria), speaking on behalf of the Group of African States, said that the Council's consensus on a draft decision had proved that North and South and East and West could reach agreement on human rights. That sent a message of hope to the people of Africa and the people of the world.
3. The PRESIDENT announced that the draft decision had programme budget implications and that the secretariat would circulate the relevant information to the members of the Council in due course. He took it that the Council wished to adopt the draft decision without a vote.
4. It was so decided.
5. Mr. HIMANEN (Finland) said that the Council should continue to monitor the situation in Darfur. He hoped that the high-level mission would identify ways in which all parties could alleviate the dire human rights situation, and indicate how the Government of the Sudan could better protect the human rights of its citizens.
6. Mr. RIPERT (France) welcomed the Council's decision to send an independent mission to Darfur. He reiterated the importance of combating impunity, in accordance with the relevant Security Council resolutions.
7. Mr. STEINER (Germany) said that, although there had been serious differences of opinion and the negotiations had sometimes been difficult, the Council had adopted a consensus decision that would serve the interests of the people of Darfur. He hoped that the mission would begin its work without delay.
8. Mr. LARENAS SERRANO (Ecuador) said that his delegation had joined the consensus on the draft decision because it believed that the Council should take effective measures to protect human rights. The decision focused on the victims, which was in keeping with the Council's mandate and the new trend in international law that placed the individual and human dignity above the State.
9. Mr. BOYCHENKO (Russian Federation) said that his delegation was satisfied with the outcome of the special session and was pleased that the Council had adopted the draft decision by consensus. Any decision by a United Nations body on the subject of Darfur must be based on a constructive dialogue with the Government of the Sudan with a view to overcoming humanitarian problems, securing and stabilizing the region and ensuring the full implementation of the Darfur Peace Agreement.
10. Mr. MARTÍNEZ ALVARADO (Guatemala) welcomed the Council's adoption of the draft decision by consensus. He hoped that the five persons chosen by the President for the high-level mission would be independent and objective, and that the Government of the Sudan would cooperate with the mission.
11. Mr. THORNE (United Kingdom) commended the representative of Finland for holding broad and transparent consultations, as that had enabled the Council to adopt a consensus decision. In the interests of non-selectivity, it was right that the Council should not focus its

attention on the Middle East alone and that it should take serious action in response to the terrible situation in Darfur. The high-level mission to Darfur should reflect the objectivity essential to the Council's work.

12. Mr. SINGH (India) said that his delegation was pleased that the Council had been able to adopt its decision by consensus, and hoped that the new spirit of cooperation would prevail in the intersessional work on institution-building. He hoped that the composition of the high-level mission would reflect the broad consensus achieved by the Council. The most important question was what measures the Council could take to improve the situation of the people of Darfur.

13. Mr. WIBISONO (Indonesia) said that the perseverance and flexibility of the Group of African States and the members of the European Union had helped to achieve a consensus. The assessment mission should serve as a means for determining what action the Council could take to assist the Sudan in alleviating the suffering in Darfur.

14. Mr. AMIRBAYOV (Azerbaijan) said that the consensus reached on the draft decision had strengthened the spirit of cooperation in the Council and had laid a solid foundation for a culture of mutual understanding in decision-making. The draft decision took account of the concerns of all parties and would enable effective follow-up of the situation in the Darfur region. He hoped that the consensus would facilitate the implementation of the decision.

15. Mr. KHAN (Pakistan), speaking on behalf of the Organization of the Islamic Conference, said that the Council was establishing a new tradition of collective and consensual decision-making, and was succeeding where the Commission on Human Rights had failed. The international community should step up its efforts to alleviate the suffering of the people of Darfur, and the Government of the Sudan should be allowed to participate in that undertaking. The Council's decision should be implemented in a way that resulted in tangible improvements in the situation, with a view to ending human rights abuses by all parties in the region.

16. Mr. ATTAR (Saudi Arabia), speaking on behalf of the League of Arab States, commended the constructive approach adopted by the members of the Council in order to reach a consensus decision. He was confident that that spirit would prevail in the future work of the Council.

17. Mr. VAN EENENNAAM (Netherlands) said that his delegation hoped that the Council's decision would help to halt the ongoing violations of human rights and international law in Darfur, and put an end to impunity for such violations. The Netherlands was confident that the assessment mission would perform its tasks independently, in accordance with the highest professional standards, and trusted that the Government of the Sudan would cooperate fully in the implementation of the decision.

18. Mr. LA Yifan (China) said that the Group of African States and the delegation of the Sudan had consistently demonstrated their flexibility and openness during the informal consultations and negotiations, and had helped to achieve a consensus decision. It was a historical moment for the Council, and China hoped that it would not be the last.

19. Mr. FLORÊNCIO (Brazil) said that the Council's consensus decision would constitute a landmark in the history of the Council. The Council had demonstrated its maturity and ability to respond to one of the world's most pressing human rights situations. His delegation hoped that the decision would contribute effectively to relieving the suffering of the people of Darfur and would set standards for addressing humanitarian crises.

20. Mr. MTESA (Zambia) said that his delegation hoped that the consensus decision would help to bring an end to the violations arising from the conflict in Darfur, and that the rebel groups would sign the Darfur Peace Agreement. Every effort, including the provision of assistance to the Government of the Sudan, should be made to ensure that the activities of the Janjaweed ceased immediately and to guarantee the people of Darfur full enjoyment of all their human rights.

21. Mr. LABIDI (Tunisia) said that the Council's adoption of a consensus decision had proved that it was able to fulfil its mandate without selectivity or politicization. Tunisia commended the efforts of all regional groups, in particular the Group of African States, and the delegation of the Sudan for their responsible and flexible attitude with regard to all proposals and their willingness to address the situation in Darfur. The positive outcome would build confidence and cooperation among all parties and would provide a solid basis for the future work of the Council.

22. Mr. FERNÁNDEZ PALACIOS (Cuba) said that his delegation was satisfied with the outcome of the special session, since the settlement of the conflict in Darfur required a strategy based on cooperation and development, leaving aside inflammatory language and calls for unnecessary sanctions. The Council had adopted a decision that reflected its concern for the human rights situation in Darfur and emphasized the need for consultation with the Sudan. The members of the high-level assessment mission should be appointed on the basis of their independence, technical experience and political vision.

23. Mr. LOULICHKI (Morocco) said that the positive outcome of the special session would not have been possible without the commitment of the Government of the Sudan, the flexibility of the Group of African States and the sponsors of the two draft resolutions, and the support of the members and non-members of the Council.

24. The PRESIDENT said that the Council's consensus decision heralded a new approach to human rights issues, and would contribute to resolving the human rights situation in Darfur. He intended to conduct wide-ranging consultations with a view to appointing the members of the high-level mission. The recommendations of the high-level mission, which would be submitted to the Council at its fourth session, would enable the Council to consider further measures to address the situation. He encouraged all States, particularly donor countries, to provide assistance to alleviate the situation of the population of Darfur.

25. Human rights must become one of the three pillars of the United Nations system, and he encouraged the Council to maintain the current spirit of impartiality, cooperation and mutual support throughout its consideration of the situation in Darfur and of other human rights situations. He expressed his appreciation to the delegation of the Sudan for its willingness to

work with the Council to ensure the success of the mission, and thanked the members and non-members of the Council and NGOs for their significant contribution to the success of the special session.

26. Mr. MIRGHANI IBRAHIM (Observer for the Sudan) said that his delegation intended to maintain and strengthen its cooperation with the Council. He welcomed the consensus on the need for an innovative approach based on up-to-date, accurate facts and documented data. The task of the assessment mission would not be easy and would have direct and serious consequences for the Sudan. He hoped that the report would be balanced, objective and transparent.

27. The Government of the Sudan had extensive experience in cooperation with the international community, the United Nations and other international organizations. More than 160 foreign organizations and 15,000 relief workers were operating in the Sudan. He urged the international community to fulfil its commitment to support the Darfur Peace Agreement and the African Union Mission in the Sudan, and to assist the Government of Sudan in implementing the Agreement, since peace was essential to the promotion and protection of human rights.

#### CLOSURE OF THE SESSION

28. The PRESIDENT declared the fourth special session of the Humans Rights Council closed.

The meeting rose at 4.45 p.m.