

## **Human Rights Council: FORM for Submitting an NGO written statements**

NGOs in consultative status with ECOSOC (General, Special or Roster status) may submit written statements to the Human Rights Council (HRC).

The written statement is formatted and issued, unedited, in the language(s) received from the submitting NGO. English, Spanish and French versions can be published at this time.

In order for your statement to be published before the session, the deadline for submission is exactly two weeks prior to the start of a session. See the deadline on the web site. All submissions are final.

Please fill out **this** FORM and CHECKLIST to submit your statement and send it to the address indicated below. Your information goes after each arrow.

1. Please indicate the contact information for representative submitting written statement (i.e. name, mobile, email) here: → Ulrich Delius, 0049-16095671403, asien@gfbv.de

2. Indicate the Standing Agenda item number (1-10) of statement here: → 9

3.a) If this is an individual statement, indicate here your organization's name as in the ECOSOC NGO database and indicate its consultative status in brackets (i.e. General, Special, or Roster).

→ Society of Threatened Peoples (Special Consultative Status)

or,

3.b) If this is a joint statement, list here the co-sponsoring ECOSOC NGO as they appear in the ECOSOC database and status (in brackets): Group all General NGOs first, group the Special second and group the Roster third. →

4. Indicate here any non-ECOSOC NGO(s) supporting this statement (they will appear as a footnote to the statement title): →

5. Indicate the exact TITLE for this statement here: → Promotion and protection of human rights through tolerance and reconciliation in Western Sudan

### **Please make sure that:**

- This statement is in MS WORD document format (Font Times New Roman 10; no bold; no underline; no italics).
- Check word count: (Go to Tools, Word count, # of words) Indicate the length of text (including footnotes/endnotes) here: →
  - NGOs in general consultative status are allowed 2,000 words
  - NGOs in special consultative status and on the roster are allowed 1,500 words
- Please use the Spell/grammar check on your text. (Go to Tools, Spelling & Grammar)
- Different language versions of one statement should be sent in the same email, but using **a separate form** for each.
- Email this document to: **[hrcngo@ohchr.org](mailto:hrcngo@ohchr.org)**

**PLEASE PASTE THE FINAL TEXT BELOW:** ↓

Massive human rights violations, amounting to crimes against humanity, have been committed in Darfur (Western Sudan) since the outbreak of violence in 2003. Former UN Secretary-General Kofi Annan admitted in December 2006 that the United Nations and the international community had failed to halt the bloodshed in Western Sudan. On July 14, 2011, another peace treaty has been signed for Darfur, but war and massive human rights violations prevail in the crisis region.

There will be no reconciliation in Darfur without justice. Achieving justice and reconciliation requires a balance between leaving violence behind, truth-telling about the past and forms of justice appropriate to the particular society. Different countries have worked towards reconciliation in different ways. The experiences of Indonesia, Timor-Leste, Ethiopia, Angola, Morocco, Mozambique, South Africa and Rwanda are highlight different approaches, from official amnesia about the past, to truth commissions, healing, forgiveness and prosecutions.

Certainly it is difficult talk of reconciliation while fighting and massive human rights violations are still going on. But dealing with justice and reconciliation is a long-term process. A genuine reconciliation in Darfur requires that the root causes of conflict be addressed in a comprehensive and just manner. All reconciliation efforts will fail until a comprehensive and just political settlement of the Darfur conflict will be brokered. Written peace agreements are only the starting point for a broad and long-term process of reconciliation.

A genuine reconciliation process in Darfur must include all stakeholders, not only the Sudanese government and the armed resistance movements, but the civilian population as well. The Doha Peace Agreement signed in July 2011 lacks any support of the civilian population in Western Sudan. Even leading politicians of Northern Sudanese parties such as the former Prime Minister Sadiq al-Mahdi have criticized the agreement as “provocative” for the other Darfur rebel groups and has described the three months ultimatum given by Khartoum for the rebel movements to join it as being unrealistic and wishful thinking. Instead of achieving real peace and reconciliation, this Doha Peace Agreement only provides an illusion of peace and normality.

The Sudanese authorities have constantly ignored the demands of the two million IDPs and refugees in Chad. The refugees urge Khartoum since to ensure their safety, to stop human rights violations, to disarm militias and criminal elements, to maintain law and order, to guarantee their safe return, to rebuild their villages, to offer compensation for destroyed houses and belongings and to bring the perpetrators of massive human rights violations to justice. None of these demands has been fulfilled after eight years of fighting in Darfur.

The lack of justice numerous times has been condemned by leading representatives of the IDP and refugees. On August 16, 2011, Sudan’s minister of Justice Mohammed Bishara Daus has appointed his deputy Essam El-Din Abdul Qadir Zein as new prosecutor for crimes committed in Darfur. Sudan has created the position of a special prosecutor for Darfur in 2003 in order to prove its seriousness in ending impunity. But the two prosecutors who were appointed before have failed to try or bring charges against any individual despite credible reports of atrocities.

The failure by the Sudanese judiciary to act on Darfur has led the UN Security Council in March 2005 to refer the situation in Western Sudan to the International Criminal Court (ICC) after a UN Commission of Inquiry concluded that the Sudanese judiciary was unwilling or unable to end impunity. Since then the ICC has charged three individuals from the government side, including President Omar Hassan al Bashir, South Kordofan governor Ahmed Haroun and militia leader Ali Kushayb. All three were charged for war crimes and Bashir is also wanted for genocide, but the Sudanese authorities are refusing any cooperation with ICC.

Reconciliation efforts could be supported by truth commissions. They should exist at different levels. At the community level, it should be based on traditional methods of conflict resolution, well known in Western Sudan. But also on the regional level, a consistent and coordinated process of truth and reconciliation might be necessary. But healing and forgiveness should not lead to an unconditional amnesty for all violations of human rights. Severe crimes against humanity must be addressed and people responsible for these crimes brought to justice.

Society for Threatened Peoples calls on the Human Rights Council to urge the Government of Sudan:

- to fully cooperate with ICC and to bring to justice all persons responsible for crimes against humanity and other massive human rights violations,
- to ensure the safety and safe return of all IDP and refugees from Darfur,
- to provide compensation to IDP and refugees,
- to start a genuine reconciliation process.