



GENEVA CENTRE FOR HUMAN RIGHTS ADVANCEMENT AND GLOBAL DIALOGUE

HUMAN RIGHTS COUNCIL

36th Special Session

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Palais des Nations, Geneva

The human rights impact of the ongoing conflict in the Sudan

Background

On May 5th 2023, the Permanent Mission of the **United Kingdom of Great Britain and Northern Ireland** to the United Nations, on behalf of 52 other delegations including 19 current members of the Human Rights Council, requested the President hold a Special Session of the Human Rights Council to address human rights impact of the ongoing conflict in the Republic of the Sudan. The meeting was scheduled on the May 11th 2023 and resolution [A/HRC/S-36/L.1](#) was tabled by **United Kingdom of Great Britain and Northern Ireland, Germany, Norway**, and the **United States of America**.

Situation in Sudan

Violence was reignited in Sudan since the April 15th, 2023, and has been affecting the regions of Khartoum and western provinces of Darfur. The Rapid Support Forces and the Sudanese Armed Forces, the two main parties to the conflict, had signed a framework agreement 5 months prior, aiming at establishing a civilian authority in the country.

On May 6th, talks between the Rapid Support Forces and the Sudanese Armed Forces have been convened by Saudi Arabia, in which the two parties have promised to respect human rights by allowing humanitarian assistance to reach communities, and providing a safe passage for civilians trying to flee violence in the direction of their choice. The parties also promised to discuss a cease fire of 10 days. Close to a million people have been displaced so far. In zones of hostility, civilians have lost access to water and electricity and health care services are at a virtual stop.

The Intergovernmental Authority on Development (IGAD) is closely following the humanitarian ceasefire talks between the representatives the SAF and the RSF that commenced in Jeddah and urging the two sides to seize the opportunity of the face-to-face talks to silence the guns. The IGAD calls upon the SAF and RSF to immediately and unconditionally agree to a humanitarian ceasefire to allow the civilian population and families access to protection, safe corridors for movement, and access to healthcare services and meet their food needs.

In October 2020, the Sudan's transitional government and many of the country's main warring factions signed the Juba Agreement. The Agreement is highly complex and covers a wide range of areas,

including governance, security and transitional justice and is intended to inform the future constitutional negotiation process. The agreement is a step in the Sudanese peace process that aims to achieve stability and peace in Sudan after decades of multiple civil conflicts.

On 24 April 2023, the UN announced a 72-hour ceasefire. However, both the SAF and the RSF have accused each other of ceasefire violations. The situation in Darfur remains volatile and fighting has resumed in some regions, with other areas hosting thousands of internally displaced people.

Opening Statements

Mr. Volker Türk, United Nations High Commissioner for Human Rights, reported figures concerning the situation in Sudan since April 2023. At least 487 civilians have been killed, more than 154,000 people have fled the country, and an estimated 700,000 more have been displaced inside the borders of Sudan. Those who remain in areas affected by the conflict are at continued, severe risk. The country's health system has been severely damaged, with at least 17 attacks against health facilities, and several others occupied by military forces. People who have been wounded; women in childbirth; or simply the severely ill have nowhere to go. Years of development efforts are being obliterated by damage to water, electricity, and communications infrastructure.

He strongly condemned deliberate violence, in which both sides, Rapid Support Forces (RSF) and the Sudanese Armed Forces (SAF), have trampled international humanitarian law, notably the principles of distinction, proportionality and precaution. He condemned the use of violence by individuals who have no regard for the lives and fundamental rights of millions of their own compatriots. All parties must protect the rights of civilians and comply with international humanitarian and human rights law.

The Commissioner also shared the visit occurred months ago. At that pivotal moment in the country's history, with talks underway to shape a transition to fully democratic, civilian government, he expressed his solidarity with the people of Sudan, bringing a strong message: *accountability and human rights must be at the core of any future agreement*. During that visit he met both General al-Burhan and General Dagalo, urging them, and all those who were involved in the talks, to focus on accountability for past human rights violations, and on the common good. It is essential that both parties urgently commit to an inclusive political process and to a negotiated peace. It is also crucial that discussions expand to respecting international humanitarian law, protecting civilians and bringing an end to human rights violations. However, to date, despite intense diplomatic efforts from the international community, the leaders of the SAF and RSF have not agreed to discuss ending their hostilities.

Ms Tlaleng Mofokeng, Chair of the Coordination Committee of Special Procedures, affirmed that the crisis in the Sudan, sparked by the clashes between the Rapid Support Forces and the Sudanese Armed Forces, has now extended beyond three weeks. Throughout this period, innocent women, men, girls and boys have borne the severe consequences of the conflict, enduring immense hardship and remaining exposed to significant protection risks. The situation remains deeply distressing and demands urgent attention and action. The dire consequences of this crisis have compelled hundreds of thousands of individuals to seek refuge, while others have been forcibly displaced from their homes. With the absence of electricity, the scarcity of healthcare and essential services, and the depletion of food, water, and medicine supplies, numerous individuals in residential areas of Khartoum, Bahri, Omdurman, as well as towns in Darfur and North Kordofan confront an uncertain future as a direct consequence of the ongoing conflict. She mentioned that of particular concern is the safety and well-being of women and children, people with disabilities and older persons.

Moreover, the ability to monitor and document the situation on the ground has been significantly hindered due to the targeting of journalists, as well as the intimidation and threats faced by human rights defenders. This situation has resulted in an information blackout.

She stressed the importance for urgent and decisive measures to tackle the worsening humanitarian crisis, protect the rights and well-being of vulnerable people, and rehabilitate critical infrastructure and services. These actions are crucial in guaranteeing unhindered access to healthcare and ensuring the safety and security of all individuals affected by the crisis. The pressing situation necessitates an immediate and prolonged ceasefire, swiftly followed by the initiation of political negotiations aimed at fostering the establishment of a government led by civilians.

Finally, she affirmed the necessity for initiating independent and impartial investigations into the loss of civilian lives, injuries sustained by individuals, and cases of ill-treatment and other gross human rights violations inflicted upon humanitarian personnel, healthcare workers, human rights defenders, journalists, as well as into attacks on civilian infrastructures. Establishing robust investigative and accountability mechanisms is of utmost importance, as they are instrumental in effectively monitoring, documenting, investigating and prosecuting violations, and in preventing the reoccurrence of systematic human rights abuses and holding accountable those individuals or entities responsible for such violations.

Sudan (Country Concerned)

The Ambassador and Permanent Representative of Sudan, H.E Mr. Hassan Hamid Hassan, started his statement by presenting his condolences to all those who have fallen victims of the hostilities in Sudan. He characterized the violence in Sudan as a result of a rebellion of the RSF, adding that its integration into the national army was one of the major challenges of the transitional period, especially after the signing of the Juba Agreement in October 2020. He explained that the process of integration was “postponed until it exploded”. On the actions taken by the SAF, the H.E Mr. Hassan strongly affirmed that they constituted a “constitutional duty of all armies in the world”. Thanking the Council for its attention to the situation in Sudan, he stated, however, that his government had prioritized other avenues of dialogue based on regional efforts, namely the talks held in Jeddah under the initiatives of Saudi Arabia and the United States of America. He also mentioned the negotiations launched by IGAD’s initiative with saw their Excellencies, the Presidents of South Sudan, Djibouti and Kenya mediate in Sudan. Supported by African Union, Saudi Arabia, UAE, United States and UK. He asked for more time for regional efforts without overcoming or negatively impacting them. Mr. Hassan asked the reason to hold this ad-hoc session, especially without the support of any African or Arab countries, affirming that the issue of Sudan was still under consideration before the Security Council, the international body in charge of peace and security, as well as under the agenda of the 53rd session of the Human Rights Council. He concluded that protecting and promoting human rights had always been a priority of the Sudanese Government.

Summary of the Session

The unanimity of States and NGOs expressed their solidarity with the people of Sudan and expressed grave concern over the death of hundreds and harm of thousands of civilians. An overwhelming majority of delegations and NGOs called for an immediate ceasefire and urged parties to respect and protect the human rights of all people in Sudan. Among the most recurrent topic were the need to resume the political process towards a civilian-led government, which was an aspiration shared among all regional group. Similarly, the humanitarian emergency in Sudan was noted and deplored by all Members. The main debate during this session regarded the appropriateness of the topic being brought before the Council.

Democratic Transition

Many States urged the warring parties to engage in a peaceful dialogue in order to achieve a transition to democracy, including **Lebanon** on behalf of the **Arab Group** and **Côte d'Ivoire** on behalf of the **African Group**.

Member of Parliament Hon. Mr. Andrew Mitchell of the **United Kingdom of Great Britain and Northern Ireland**, who presented the resolution, noted that “despite the military takeover in 2021, Sudan had been on the path to democratic civilian rule”. **Sweden**, on behalf of the **European Union** deplored that the military coup led to the backsliding of the transition process and warned that this conflict could bring the political process to a stop.

Japan stated that it intended, together with the G/ and other like-minded countries, support the Sudanese efforts towards the restoration of the transition to democracy in cooperation with regional countries.

The **Arab Group** called on the international community to provide support that would lead to organizing **internationally monitored democratic elections**.

Ceasefire

The **African Group, Zimbabwe, Chad, Ethiopia, South Africa, Tunisia, Egypt, Saudi Arabia, Iraq, the Russian Federation**, requested for this Council to prioritize supporting ceasefire and humanitarian efforts. **Chad** affirmed that ceasefire is a priority as the conflict should not spill over the borders of Sudan and threaten the ongoing democratic transition and peace processes in neighbouring countries.

NGOs, including **FIDH** affirmed the escalating inter-tribal tensions in West Darfur risk compounding the effects of the wider conflict across Sudan. The **Association Mo'anah** pointed out that what is happening in Sudan, is only one example of the rise of militia and paramilitary groups in the region. **RADDHO** remained concerned about calls for incitement to racial hatred, as well as the manifestation of racism between different ethnic and tribal groups.

Humanitarian aid

All States and NGOs called for the facilitation of humanitarian assistance and many called for the opening of corridors for the evacuations of civilians. **Sweden, Argentina** and **Paraguay**, emphasized that ensuring their safety is the responsibility of the authorities.

Many countries, including **Oman** on behalf of the **Gulf Cooperation Council Group**, and **Côte d'Ivoire** called for the international community to step humanitarian efforts

The United States of America and **Costa Rica** showed particular concern over the military recruitment of children.

Many countries including **France, Luxembourg, Australia, Brazil**, condemned violations against humanitarian personnel.

Pakistan noted concern for the **security** dimension of the situation in countries.

Many countries announced they would provide assistance to Sudan and neighbouring countries, including **France** and **Japan** and neighbouring countries hosting refugees. **Egypt** urged all International Organizations and UN agencies working in the humanitarian field to redouble their efforts

The NGO **International Service for Human Rights (ISHR)** urged the international community to identify of means to provide emergency relief services needed, and to support the work of **local volunteers** and **activists**. **World Organisation against Torture** warned that “refugees and asylum seekers particularly fleeing toward the Egyptian border and other Gulf nations, including Saudi Arabia are blocked at the borders and many are encouraged to force to return to Sudan via Port Sudan”.

Amnesty International reported that armed forces are using heavy weapons, including artillery, tanks and aerial bombardments in densely populated areas in Khartoum.

Regional initiatives

Almost all States mentioned and welcomed the regional initiatives by the African Union, IGAD, the League of Arab States as well as the initiative by Saudi Arabia and the US, and South Sudan. Belgium also welcomed the unity of the Security Council with regional actors. However, all **Arab** and **African** States expressed that these regional efforts are the most appropriate with some citing the principle of “African solutions for African problems”, along with **Pakistan, Türkiye** and **Indonesia**.

Côte d’Ivoire, urges the international community to provide all necessary support to Sudan including the political, economic, technical, developmental and humanitarian assistance in order to enable the country to overcome the transition challenges

China conveyed appreciation the role played by the Arab league, the African Union and countries in the regions in dealing with the situation and asserted that Sudan should be able to explore institutional arrangements that suit its national conditions. **Iran** and the **Russian Federation** expressed supported inter-Sudanese dialogue and condemned any form of interference in the internal affairs of the country. Additionally, **the Russian Federation** stressed the importance of achieving a broad consensus among ethnic and religious groups which should all be included in the dialogue.

Cooperation with United Nations system

Many countries commended Sudan for its willingness so far to cooperate with the various United Nations human rights mechanisms and encouraged it to maintain it, including the **United Kingdom of Great Britain and Northern Ireland**, the **European Union, Cameroon, Belgium**.

Qatar and **Indonesia** asked the OHCHR to provide technical support to the Sudanese government in line with the countries needs and priorities and **Egypt** urged all International Organizations and UN agencies working in the humanitarian field to redouble their efforts.

Gender-based violence

Several delegations, including **New Zealand, the EU, Finland, Luxembourg, Montenegro, United States and Argentina** strongly condemned grave human rights abuses, including sexual and gender-based violence. As Norway reported, Women and children are likely to pay the heaviest price.

Canada was concerned by the increased risk of sexual and gender-based violence, particularly for women human rights defenders and women and children seeking to leave.

The **ISHR** reported sexual assaults by men in uniform from both fighting parties, including at least seven cases of rape. It urged protection and support of women from SGBV.

Among others, EU, Finland and Oman affirmed that external actors must refrain from fuelling the conflict.

Journalists and HRDs

Several countries including France, Austria, Ireland, Germany and Canada called for the protection and human rights defenders and journalists and the respect for their rights.

NGOs including **Frontline Defenders, Interfaith International, the Institute for Human Rights, the International Federation for Human Rights (FIDH), the East and Horn of Africa Human Rights Defenders Project and World Organization Against Torture** affirmed that human rights defenders have been targeted with intimidation, death threats and violence.

Investigations and accountability when the time comes

Paraguay, France, and Bulgaria stressed that perpetrators of human rights violations must be held to account to ensure lasting peace. Similarly, **Costa Rica** asserted that it is the responsibility of the Council to ensure appropriate accountability for human rights violations and **Luxembourg** stated that the disregard for human right that we are witnessing at the moment s is the consequence of many years of impunity. The **Netherlands** stressed the need to be document these violations and preserve evidence, as have a majority of NGOs speaking.

The **International Bar Association, Human Rights Watch, Frontline Defenders, ISHR and FIDH** also called for an international investigative mechanism.

Interfaith International supported the establishment of an international commission of inquiry and the appointment of a panel of experts to accompany the country in order to prevent ethnic cleansing.

Paraguay affirmed that the international community should adopt measures to deter abuses of the civilian population and action to hold those responsible to account.

Comments on the appropriateness of this session

The countries sponsoring the resolution, affirmed that the Council is the appropriate space to address the complaints received about the human rights violations. They trusted in the leading role that the African Union and the UN bodies have in this delicate scenario and in these circumstances.

Cameroon welcomed the action of the Office of the United Nations High Commissioner for Human Rights, its interest and its strong involvement in protecting and preventing human rights violations. However, it believed that in its human rights promotion dimension, the OHCHR should place emphasis on strengthening the rule of law and promoting democracy, because the resurgence of crises reflects a democratic deficit. The **United States** affirmed that cease fire and humanitarian access can and must occur at the same time as the council fulfils its mandate of addressing the dire HR situation. **Mexico** supported the convening of the special session however the emergency of the situation should not

mean this council must adopt resolutions that leave aside the establishment of a constructive dialogue with the state concerned including elements such as its concerns or priorities. Failing to do so not only reduce the effects of the mechanisms but also goes against the spirit of cooperation and respect.

Ethiopia underscoring that there can only be a political solution to the crisis, advocated for its resolution based on the principle of 'African solutions to African problems'. The country's peace agreement to resolve the conflict in the Northern part can serve as a useful example. Accordingly, it stressed on the importance of giving priority to existing national, regional and continental mechanisms to resolve the crisis and that proliferation of initiatives by other parties is counterproductive.

On the other side, **Cote d'Ivoire, China, Viet Nam, Eritrea**, were not in favour of the special session, because an armed conflict related to international peace and security should be discussed in an appropriate mechanism. **Egypt** rejected the convening of this meeting on the HR situations, establishment of mechanisms or expansion the mandates of existing mechanisms without the country concerned especially if the country is already collaborating with the council. The **Russian Federation** affirmed that playing up the topic of Sudan in the Council is counterproductive. Foreign imposition on the Sudanese leadership of dubious socio-economic solutions and universal democratizing templates and the politicization of economic financial assistance is unacceptable. **Pakistan**, raising the point in terms of principles of objectivity, dialogue and cooperation, affirmed that the session does not stand up to the broad markers identified in the [Institution-Building package](#). This delegation, along with **South Africa, Niger, Libya and Iraq** invoked the principle of **subsidiarity** and underscored the importance of country consent.

Full respect for National sovereignty and territorial integrity of Sudan

The **Arab Group, Morocco, China, Pakistan, Ethiopia, Iran, Libya and Tunisia** stressed their request for the full respect of national sovereignty and territorial integrity of Sudan.

Consent of the party concerned

The **Arab Group**, the **GCC countries**, the **African Group, Ethiopia, Eritrea, Egypt, Chad, Pakistan, Viet Nam** noted the lack of consent by the country concerned and opposed the politicization of human rights issues as a tool to interfere in the internal affairs of countries. **Iran** believed that the excessive use of holding special session against developing countries undermine the provisions of the RES 60/251 which emphasizes on the principles of non-selectivity, objectivity and impartiality. **Nigeria** affirmed that the special session is a flagrant disregard for the sovereignty and political independence of Sudan.

Comments on the resolution

On the content of the resolution, **Nigeria** warned that "any attempt to interfere in the internal politics of Sudan, through the creation of another human rights mandate or mechanism, is counter-productive" while **Iraq** stated foreign interference "could destabilize the region". The **Arab Group** regretted that the resolution contains wording that the Council did not have time to debate on.

Pakistan stated that another resolution with "novel but unrealistic proposals" would be unhelpful because many of the asks are hard to be achieved given the security situation on the ground

Mexico commends progressive approach of existing mechanisms has been adopted but highlighted that the emergency of the humanitarian situation in a given country or region does not imply that the council should leave aside the establishment of a constructive dialogue with the country concerned.

On **OP6 of the resolution** the NGO **Maa't for Peace** stated it requires more details in order to set out specific guidelines as to how the international community can provide protection to vulnerable

populations in Sudan without risking the national security of neighbouring member states that may offer refuge. They also suggested adding a clause that calls for the urgent establishment of a Hybrid Court to prosecute individuals responsible for past atrocities, regardless of their affiliation or position

East and Horn of Africa Human Rights Defenders Project deemed the resolution unsatisfying as it does not contain provisions for an for an investigative mechanism. They reiterated the [call](#) endorsed by 100 NGOs and supported by additional civil society groups in that regard, adding that “the criminal accountability standard used by judicial mechanisms—especially international courts—is hard to reach”.

List of speakers

United Kingdom of Great Britain and Northern Ireland, Lebanon (on behalf of Group of Arab States), Sweden (on behalf of the European Union), Finland (on behalf of a Group of Countries), Oman (on behalf of the Gulf Cooperation Council), Germany, Ukraine, Paraguay, Argentina, Cameroon, Morocco, Belgium, United States of America, France, Malaysia, Czechia, Montenegro, China, Pakistan, Chile, Mexico, India, Senegal, Viet Nam, Costa Rica, Luxembourg, South Africa, Kyrgyzstan, Qatar, Eritrea, Côte D'Ivoire (on behalf of a Group of African States), Liechtenstein, Australia, Japan, Republic of Korea, Monaco, Bulgaria, Holy See, Indonesia, Netherlands, Brazil, Peru, Switzerland, Uruguay, Ecuador, Croatia, Venezuela (Bolivarian Republic of), Malta, Cyprus, Ethiopia, Ireland, Bahrain, Italy, Israel, New Zealand, Egypt, Slovenia, Iraq, Zimbabwe, Saudi Arabia, Iran (Islamic Republic of), Russian Federation, Norway, Libya, Chad, Niger, Belarus, Nigeria, Türkiye, Austria, Canada, Mauritania, South Sudan, United Republic of Tanzania, Tunisia, Uganda, Equatorial Guinea.

NHRIs and NGOs

International Bar Association, East and Horn of Africa Human Rights Defenders Project, International Bar Association, International Service for Human Rights, International Federation for Human Rights Leagues, Human Rights Watch, World Organisation Against Torture, Christian Solidarity Worldwide, Front Line, The International Foundation for the Protection of Human Rights Defenders, International Organization for the Elimination of All Forms of Racial Discrimination, Amnesty International, Association Ma'onah for Human Rights and Immigration, Maat for Peace, Development and Human Rights Association, Meezaan Center for Human Rights, Rencontre Africaine pour la defense des droits de l'homme, Broad National Movement (BNM) Limited Ltd, Interfaith International, Institute for Human Rights, Institute for Reporters' Freedom and Safety, African Centre for Democracy and Human Rights Studies.

Action on Draft Resolution

[A/HRC/S-36/L.1](#): ***“The human rights impact of the ongoing conflict in the Sudan”***

Presented by UK: The purpose of the draft resolution is to offer a proportionate, timely response by this Council to the crisis in Sudan. It seeks to reflect the alarming deterioration in Sudan since 15 April, to express this Council’s concern, and to build on the existing tools that we have already established to ensure that the situation in Sudan receives the attention it requires. It is appropriate that we look to increase the capacity for the Expert to do his crucial work. To do otherwise would be to ignore the reality of what has been, and is still, taking place in the Sudan.

General Comments: U.S., Costa Rica, Finland (on behalf of the EU), France.

Country Concerned: Sudan ([does not support the resolution](#))

PBIs: Yes (3 033 900 USD)

Explanation of Vote Before the Vote (as orally revised): Algeria, China, United Arab Emirates, South Africa, Luxembourg, Cuba, Qatar, Gambia, Sudan

In favor: Argentina, Belgium, Chile, Costa Rica, Czechia, Finland, France, Georgia, Germany, Lithuania, Luxembourg, Mexico, Montenegro, U.S., UK, Ukraine, Romania, Paraguay

Against: Algeria, Bolivia, China, Cuba, Eritrea, Morocco, Malaysia, Gambia, Pakistan, Senegal, Somalia, Sudan, United Arab Emirates, Viet Nam

Abstentions: Bangladesh, Benin, Cameroon, Cote d’Ivoire, Gabon, Honduras, India, Kazakhstan, Kyrgyzstan, Malawi Maldives, South Africa, Uzbekistan

Adopted by vote with 18 votes in favor, 15 against and 14 abstentions

Explanation of Vote and General Comments After the Vote: Malaysia, Bangladesh, Bolivia

