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HUMAN RIGHTS COUNCIL  
Fourth special session  
12-13 December 2006

**REPORT ON THE FOURTH SPECIAL SESSION  
OF THE HUMAN RIGHTS COUNCIL**

**Vice-President and Rapporteur: Mr. Musa Burayzat (Jordan)**

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## **I. Decision adopted by the Council at its fourth special session**

### **S-4/101. Situation of human rights in Darfur**

At its 4th meeting, on 13 December 2006, the Human Rights Council decided, without a vote, to adopt the following text:

*“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.”

[See chapter II.]

## **II. Organization of work of the fourth special session**

1. Pursuant to paragraph 10 of General Assembly resolution 60/251 of 15 March 2006, the Council “shall be able to hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council”.

2. By a letter dated 30 November 2006, addressed to the President of the Human Rights Council, the Permanent Representative of Finland to the United Nations Office at Geneva, on behalf of the signatories listed in the document enclosed with the aforementioned letter, requested that a special session of the Council be convened entitled

“The human rights situation in Darfur”, and that it be held “immediately after the third session of the Human Rights Council, preferably on 12 December 2006” (see A/HRC/S-4/1).

3. The letter, received by the President on the same day, was accompanied by signatures in support of the above-mentioned request from the following 30 States members of the Council: Algeria, Brazil, Canada, the Czech Republic, Cuba, Ecuador, Finland, France, Gabon, Germany, Ghana, Guatemala, Japan, Mauritius, Mexico, Morocco, the Netherlands, Nigeria, Peru, Poland, the Republic of Korea, Romania, the Russian Federation, South Africa, Switzerland, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Zambia. Five additional States members of the Council, Argentina, Cameroon, China, India and Senegal, also signed the above-mentioned request.

4. As more than one third of the membership of the Council supported the above-mentioned request, the President, following consultations with interested parties, decided to convene a special session of the Council on 12 December 2006.

#### **A. Opening and duration of the session**

5. The Council held its fourth special session at the United Nations Office at Geneva from 12 to 13 December 2006. It held four meetings (A/HRC/S-4/SR.1-4)<sup>1</sup> during the session.

6. The fourth special session was opened by the President of the Council, Mr. Luis Alfonso de Alba.

#### **B. Attendance**

7. The special session was attended by representatives of States members of the Council, observers for non-member States of the Council, observers for non-member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

#### **C. Officers**

8. At its first session, held from 19 to 30 June 2006, the Council had elected the following officers, who also served as officers for the fourth special session:

*President:* Mr. Luis Alfonso de Alba (Mexico)

*Vice-Presidents:* Mr. Tomáš Husák (Czech Republic)  
Mr. Mohammed Loulichki (Morocco)  
Mr. Blaise Godet (Switzerland)

*Vice-President and Rapporteur:* Mr. Musa Burayzat (Jordan)

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<sup>1</sup> Summary records of each of the meetings are subject to correction. They are considered final with the issuance of a consolidated corrigendum (A/HRC/S-4/SR.1-4/Corrigendum).

#### **D. Organization of work**

9. The Council accepted the recommendation of its officers that the speaking time limits would be five minutes for statements by States members of the Council and concerned countries, and three minutes for statements by observers for non-member States of the Council and other observers, including United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations. The Council also accepted the recommendation of its officers that the list of speakers would be drawn up in chronological order of registration and that the order of speakers would be as follows: States members of the Council and concerned countries, followed by observers for non-member States of the Council and other observers.

10. The Council further accepted the recommendation that, with regard to statements in exercise of the right of reply, a limit of two statements per delegation for the entire session, three minutes for the first and two minutes for the second, would be observed.

#### **E. Decision and documentation**

11. The decision adopted by the Council at its fourth special session, is reproduced in chapter I of the present report.

12. Annex I contains statements regarding the estimated administrative and programme budget implications presented to the Council on the draft resolutions A/HRC/S-4/L.1 and A/HRC/S-4/L.2, and the amendment to draft resolution A/HRC/S-4/L.1, as contained in document A/HRC/S-4/L.3, all of which had been withdrawn. Owing to insufficient time to prepare and present a revised statement regarding the estimated administrative and programme budget implications of the draft decision introduced by the President of the Council at the 4th meeting, on 13 December 2006, and adopted at the same meeting without a vote, the Secretariat will inform the General Assembly on the estimated resources required to implement the decision, in the revised estimates resulting from resolutions and decisions adopted by the Council. Such requirements are expected to be met from within resources available under section 23, Human Rights (see paragraphs 18 to 25 below).

13. Annex II contains the list of documents issued for the fourth special session.

#### **F. Statements**

14. At the 1st meeting, on 12 December 2006, the Secretary-General of the United Nations, Mr. Kofi Annan, made a televised recorded statement.

15. At the same meeting, the United Nations High Commissioner for Human Rights, Ms. Louise Arbour, made a statement.

16. At the 1st and 2nd meetings, on 12 December 2006, and at the 3rd meeting, on 13 December the following made statements:

(a) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, Canada, China, Cuba, Ecuador, Finland (on behalf of the European Union, acceding countries - Bulgaria and

Romania, candidate countries - Croatia, The former Yugoslav Republic of Macedonia and Turkey, countries in the process of stabilization and association process and potential candidates - Albania, Bosnia and Herzegovina, Moldova, Montenegro, Serbia and Ukraine), France, Germany, Ghana, India, Indonesia, Japan, Jordan, Malaysia, Morocco, the Netherlands, Nigeria, Pakistan (on behalf of the Organization of the Islamic Conference), Poland, the Republic of Korea, Romania, the Russian Federation, Saudi Arabia (on behalf of the League of Arab States), Senegal, South Africa, Switzerland, Tunisia, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Zambia;

(b) Observer for the concerned country: the Sudan;

(c) Observers for non-member States: Albania, Armenia, Australia, Belgium, Chad, Chile, Costa Rica, the Democratic People's Republic of Korea, Denmark, Egypt, Estonia, Greece, Hungary, Ireland, the Islamic Republic of Iran, Israel, Italy, Lebanon, the Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, New Zealand, Nicaragua, Norway, Oman, Portugal, Slovakia, Slovenia, Spain, Sweden, the Syrian Arab Republic, United States of America and Yemen;

(d) Observer for the Holy See;

(e) Observer for Palestine;

(f) Observers for United Nations entities, specialized agencies and related organizations: the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Office for the Coordination of Humanitarian Affairs and the United Nations Population Fund;

(g) Observers for intergovernmental organizations: African Union;

(h) Observers for non-governmental organizations: Amnesty International, Association of World Citizens, B'nai B'rith International (also on behalf of Coordinating Board of Jewish Organizations), Consultative Council of Jewish Organizations, Femmes Africa solidarité (also on behalf of Association of World Citizens, International Federation of University Women and Worldwide Organization for Women), Franciscans International, Human Rights Watch, Indian Movement Tupaj Amaru (also on behalf of World Peace Council), Interfaith International, International Federation of Human Rights Leagues, International Humanist and Ethical Union, Lutheran World Federation, North South XXI, Norwegian Refugee Council, Union of Arab Jurists, United Nations Watch (also on behalf of Agir ensemble pour les droits de l'homme, American Psychological Association, Becket Fund for Religious Liberty, B'nai B'rith International, Cairo Institute for Human Rights Studies, Computer Professionals for Social Responsibility, Coordinating Board of Jewish Organizations, Coordination française pour le lobby européen des femmes, European Union of Jewish Students, Federation of American Women's Clubs Overseas, France Libertés: Fondation Danielle Mitterrand, Freedom House, International Alliance of Women, International Association for Religious Freedom, International Council of Jewish Women, International Council of Psychologists, International Federation of Social Workers, International Federation of University Women, International Multiracial Shared Cultural Organization, International Volunteerism Organization for Women, Education and Development, Liberal International, Ligue Internationale contre le Racisme et l'Antisemitisme,

Maryknoll Sisters of St. Dominic, Inc. and 3HO Foundation, Inc. (Healthy, Happy, Holy Organization, Inc.), Transnational Radical Party, Women Environmental Programme, Women's Federation for World Peace International, Women's International Zionist Organization and World Jewish Congress), World Jewish Congress (also on behalf of the European Union of Jewish Students) and Worldwide Organization for Women (also on behalf of Association of World Citizens, Interfaith International, International Federation of University Women, Pan Pacific and South East Asia Women's Association and Women's World Summit Foundation).

17. At the 2nd meeting, on 12 December 2006, the observer for the Islamic Republic of Iran made a statement in exercise of the right of reply.

### **G. Action on draft proposal**

18. At the 4th meeting, on 13 December 2006, the President of the Council introduced a draft decision.

19. At the same meeting, the President informed the Council that the draft resolutions A/HRC/S-4/L.1 and A/HRC/S-4/L.2, and the amendment to draft resolution A/HRC/S-4/L.1, as contained in document A/HRC/S-4/L.3, had been withdrawn.

20. Draft resolution A/HRC/S-4/L.1 read as follows:

*“The Human Rights Council,*

*“Recalling* that the General Assembly by its resolution 60/251 of 15 March 2006, decided that the Council should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon,

*“Recognizing* the need of the Council to continue to be provided with clear, accurate and substantiated information on the human rights situation in Darfur,

*“1. Expresses its grave concern* regarding the seriousness of the human rights and humanitarian situation in Darfur and calls for an immediate end to the ongoing violations of human rights and international humanitarian law and for all parties to ensure that there is no impunity;

*“2. 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 Council, its mechanisms, and the Office of the United Nations High Commissioner for Human Rights;

*“3. Decides* to dispatch an urgent assessment mission to Darfur headed by the Special Rapporteur on the situation of human rights in the Sudan and requests the mission to report to the Council at its fourth session.”

21. Draft resolution A/HRC/S-4/L.2 read as follows:

*“The Human Rights Council,*

“*Taking note* of its decision 2/115 of 28 November 2006 on Darfur,

“*Recognizing* the need for the Council to be provided with clear, accurate and substantiated information on the human rights situation in Darfur,

“1. *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 to intensify its cooperation with the Council, its mechanisms, and the Office of the United Nations High Commissioner for Human Rights;

“2. *Notes with concern* the seriousness of the human rights and humanitarian situation in Darfur despite the conclusion of the Darfur Peace Agreement, which some parties have yet to sign;

“3. *Calls upon* the parties which did not sign the Darfur Peace Agreement to do so and all parties to observe the ceasefire;

“4. *Calls upon* the international community at large and the donor countries and peace partners in particular to honour their pledges of support inter alia to the African Union Mission in Sudan whose mandate has recently been extended, and to provide urgent and adequate financial and technical assistance to the Government of the Sudan and to the relevant State and non-State agencies in the promotion and protection of human rights;

“5. *Welcomes* the initiative of the Government of the Sudan to invite officials and members of the Human Rights Council to obtain first-hand information on the human rights situation in Darfur;

“6. *Decides* to dispatch a mission to assess the human rights situation in Darfur, to be headed by the President of the Council and to include the members of the Bureau and the regional group coordinators members of the Council and further requests the mission to report to the Council at its fourth session.”

22. The amendments to draft resolution A/HRC/S/L.1, as contained in document A/HRC/S-4/L.3, read as follows:

“1. In the first preambular paragraph after the words ‘15 March 2006’ insert the following phrase: ‘in its paragraph 10, provided for the Council to be able to hold special sessions when needed, at the request of a member of the Council with the support of one third of the membership of the Council’ and delete the end of the paragraph;

“2. After the first preambular paragraph insert the following paragraph:

*Recalling* Human Rights Council decision 2/115 of 28 November 2006 on Darfur,



“3. In the second preambular paragraph, after the word ‘Council’ delete the words ‘to continue and’;

“4. In paragraph 1, before the word ‘concern’ delete the word ‘grave’, and after the word ‘Darfur’ replace the existing text by the following: ‘in spite of the conclusion of the Darfur Peace Agreement which some parties have yet to sign’;

“5. At the end of the second paragraph insert the following: ‘and also calls upon the parties which have not yet signed the Darfur Peace Agreement to do so and upon all parties to observe the ceasefire’;

“6. After paragraph 2, insert the following paragraph:

*Calls upon* the international community at large and on the donor countries and peace partners in particular to honour their pledges of support, inter alia to the African Union Mission in Sudan whose mandate has been recently extended to provide urgent and adequate financial and technical assistance to the Government of the Sudan and to the relevant State and non-State agencies in the promotion of human rights;

“7. In paragraph 3, before the word ‘assessment’ delete the word ‘urgent’; after the words ‘headed by’ insert the following phrase: ‘the President of the Council and to include the members of the Bureau and the regional group coordinators that are members of the Council as well as’.”

23. The representative of Algeria (on behalf of the Group of African States), made a statement in connection with the draft decision.

24. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications<sup>2</sup> of the draft resolutions A/HRC/S-4/L.1 and A/HRC/S-4/L.2, and the amendment to draft resolution A/HRC/S-4/L.1, as contained in document A/HRC/S-4/L.3, all of which had been withdrawn (see paragraph 12 above).

25. The draft decision was adopted without a vote.

26. Statements in explanation of vote after the vote were made by the representatives of Azerbaijan, Brazil, China, Cuba, Ecuador, Finland, France, India, Indonesia, Germany, Guatemala, Morocco, Pakistan (on behalf of the Organization of the Islamic Conference), the Russian Federation, Saudi Arabia (on behalf of the Group of Arab States), the Netherlands, Tunisia, the United Kingdom of Great Britain and Northern Ireland and Zambia.

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<sup>2</sup> See annex I.

27. At the same meeting, after the consideration and action on the draft proposal, and prior to the conclusion of the fourth special session, on the proposal of the President of the Council, the observer for the Sudan made a statement.

28. For the text of the decision as adopted, see chapter I, decision S-4/101.

### **III. Report to the General Assembly on the fourth special session of the Council**

29. At the 4th meeting, on 13 December 2006, the draft report was adopted *ad referendum* and the Rapporteur was entrusted with its finalization.

ANNEX I

**Administrative and programme budget implications of the decision  
adopted by the Council at its fourth special session<sup>3</sup>**

**Oral statement by the Secretariat in connection  
with draft resolution A/HRC/S-4/L.1,  
“The human rights situation in Darfur”**

1. Under the terms of operative paragraph 3 of draft resolution A/HRC/S-4/L.1, the Human Rights Council would:

(a) Decide to dispatch an urgent assessment mission to Darfur headed by the Special Rapporteur on the situation of human rights in the Sudan and request the mission to report to the Council at its fourth session.

2. Should the draft resolution be adopted by the Human Rights Council, it is estimated that requirements would arise to implement the activities called for in operative paragraph 3 to provide for travel, security and general temporary assistance for the biennium 2006-2007, in the amount of \$270,550.

3. No provisions have been included under 2006-2007 programme budget for these additional activities, therefore, additional resources will be required under: Section 23, Human rights, \$270,550.

**Oral statement by the Secretariat in connection  
with draft resolution A/HRC/S-4/L.2,  
“The human rights situation in Darfur”**

1. Under the terms of operative paragraph 6 of draft resolution A/HRC/S-4/L.2, the Human Rights Council would:

(a) Decide to dispatch a mission to assess the human rights situation in Darfur, to be headed by the President of the Council and to include the members of the Bureau and the regional group coordinators members of the Council and further request the mission to report to the Council at its fourth session.

2. Should the draft resolution be adopted by the Human Rights Council, it is estimated that requirements would arise to implement the activities called for in operative paragraph 6 to provide for travel, security and general temporary assistance for the biennium 2006-2007, in the amount of \$275,510.

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<sup>3</sup> See paragraphs 12 and 18 to 25 above.

3. No provisions have been included under 2006-2007 programme budget for these additional activities, therefore, additional resources will be required under: Section 23, Human rights, \$275,510.

**Oral statement by the Secretariat in connection  
with draft resolution A/HRC/S-4/L.3,  
“The human rights situation in Darfur”**

1. Under the terms of amendment to operative paragraph 3 of draft resolution A/HRC/S-4/L.1, the Human Rights Council would:

(a) Decide to dispatch a mission to assess the human rights situation in Darfur, to be headed by the President of the Council and to include the members of the Bureau and the regional group coordinators members of the Council as well as the Special Rapporteur on the situation of human rights in Sudan and request the Mission to report to the Council at its fourth session.

2. Should the draft resolution be adopted by the Human Rights Council, it is estimated that requirements would arise to implement the activities called for in amendment to operative paragraph 3 of A/HRC/S-4/L.1 to provide for travel, security and general temporary assistance for the biennium 2006-2007, in the amount of \$364,550.

3. No provisions have been included under 2006-2007 programme budget for these additional activities, therefore, additional resources will be required under: Section 23, Human rights, \$364,550.

## ANNEX II

### List of documents issued for the fourth special session of the Council

#### *Documents issued in the general series*

##### *Symbol*

- A/HRC/S-4/1 Letter dated 30 November 2006 from the Permanent Representative of Finland to the United Nations Office at Geneva, addressed to the President of the Human Rights Council
- A/HRC/S-4/2 Letter dated 7 December 2006 from Mr. Antonio Cassese, former Chairperson of the International Commission of Inquiry on Darfur, addressed to the President of the Human Rights Council
- A/HRC/S-4/3 Letter dated 8 December 2006 from Mr. Juan Méndez, Special Adviser to the Secretary-General on the Prevention of Genocide, addressed to the President of the Human Rights Council
- A/HRC/S-4/4 Letter dated 11 December 2006 from Ms. Sima Samar, Special Rapporteur on the situation of human rights in the Sudan, addressed to the President of the Human Rights Council

#### *Documents issued in the limited series*

##### *Symbol*

- A/HRC/S-4/L.1 The human rights situation in Darfur: draft resolution
- A/HRC/S-4/L.2 The human rights situation in Darfur: draft resolution
- A/HRC/S-4/L.3 The human rights situation in Darfur: amendments to draft resolution A/HRC/S-4/L.1

#### *Documents issued in the Government series*

##### *Symbol*

- A/HRC/S-4/G/1 Note verbale dated 4 December 2006 from the Permanent Mission of the Republic of the Sudan to the United Nations Office at Geneva, addressed to the Secretariat of the Human Rights Council

A/HRC/S-4/G/2

Note verbale dated 8 December 2006 from the  
Permanent Mission of the Republic of the Sudan to the  
United Nations Office at Geneva, addressed to the  
Secretariat of the Human Rights Council

*Documents issued in the non-governmental organization series (continued)*

*Symbol*

A/HRC/S-4/NGO/1	Written statement submitted by North South XXI
A/HRC/S-4/NGO/2	Written statement submitted by Human Rights First
A/HRC/S-4/NGO/3	Written statement submitted by B'nai B'rith International
A/HRC/S-4/NGO/4	Written statement submitted by the Association of World Citizens
A/HRC/S-4/NGO/5	Written statement submitted by the Lutheran World Federation
A/HRC/S-4/NGO/6	Written statement submitted by the Consultative Council of Jewish Organizations
A/HRC/S-4/NGO/7	Written statement submitted by Amnesty International
A/HRC/S-4/NGO/8	Written statement submitted by the World Jewish Congress
A/HRC/S-4/NGO/9	Written statement submitted by the World Organization Against Torture
A/HRC/S-4/NGO/10	Written statement submitted by the American Jewish Committee

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