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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Albania, Andorra,* Argentina, Australia,* Belgium, Bulgaria, Canada,* Costa Rica, Croatia,* Czechia,* Denmark,* Estonia,* Finland, France, Germany, Greece,* Iceland,* Ireland,* Latvia,* Liechtenstein,* Lithuania, Luxembourg, Malta,* Monaco,* Montenegro, Netherlands (Kingdom of the), New Zealand,* North Macedonia,* Norway,* Poland,* Portugal,* Romania, Slovakia,* Sweden,* Ukraine,* United Kingdom of Great Britain and Northern Ireland* and United States of America: draft resolution

57/... Responding to the human rights and humanitarian crisis caused by the ongoing armed conflict in the Sudan

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the African Charter on Human and Peoples' Rights, and other relevant human rights instruments,

Reaffirming that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights,

Reaffirming also its strong commitment to the sovereignty, political independence, territorial integrity and national unity of the Sudan, and its solidarity with the Sudanese people,

Emphasizing that States have the primary responsibility for ensuring respect for and for the promotion and protection of all human rights and fundamental freedoms, and recalling that the Sudan has the responsibility to act in accordance with international humanitarian law, as well as to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity,

Recalling the obligations of all parties to the conflict under international humanitarian law and the obligations of the Sudan under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other treaties to which it is a State party, and recalling also the commitment of the Sudan, reflected in the Constitutional Declaration of 2019 and the Juba Peace Agreement of 2020, to elevate the

* State not a member of the Human Rights Council.



value of human rights, and that all parties must continue to comply with their respective obligations, including as applicable during the ongoing armed conflict,

Recalling also the commitments made on 11 May 2023 by the Sudanese Armed Forces and the Rapid Support Forces under the Jeddah Declaration of Commitment to Protect the Civilians of Sudan, including with regard to allowing and facilitating principled humanitarian relief, and the affirmation by the parties of their responsibility to respect international humanitarian law and international human rights law,

Reaffirming Human Rights Council resolutions S-32/1 of 5 November 2021 and S-36/1 of 11 May 2023, and the mandates given therein to the United Nations High Commissioner for Human Rights and the Expert on human rights in the Sudan,

Reaffirming also Human Rights Council resolution 54/2 of 11 October 2023 and the mandate given therein to the independent international fact-finding mission for the Sudan, while noting with concern the impact of the worsening situation in the Sudan and of the liquidity crisis affecting the United Nations on the timely establishment of the fact-finding mission,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007, and that States Members of the United Nations are required to uphold the highest standards in the promotion and protection of human rights,

Recalling also Security Council resolutions 1564 (2004) of 18 September 2004, 1593 (2005) of 31 March 2005, 2724 (2024) of 8 March 2024 and 2736 (2024) of 13 June 2024,

Recalling further all other relevant resolutions adopted and statements made by the Human Rights Council, the General Assembly and the Security Council on the Sudan, and relevant statements on the Sudan by the Secretary-General, the Personal Envoy of the Secretary-General for the Sudan, the High Commissioner, the Expert on human rights in the Sudan, the fact-finding mission and the Special Adviser to the Secretary-General on the Prevention of Genocide,

Noting with appreciation all relevant communiqués and resolutions of the African Union, the African Commission on Human and Peoples' Rights, the Intergovernmental Authority on Development and the League of Arab States issued since the start of the armed conflict on 15 April 2023,

Welcoming the report of the fact-finding mission¹ and expressing deep concern at the mission's findings that there are reasonable grounds to believe that both the Sudanese Armed Forces and Rapid Support Forces committed war crimes, and that there are reasonable grounds to believe that the Rapid Support Forces also committed crimes against humanity,

Expressing grave concern at cases, documented by the fact-finding mission in its report, of sexual violence, acts of killing and maiming of children, arbitrary arrest and detention of civilians, at the failure, attributed to both parties, to minimize the impact of air strikes or artillery shelling on civilians, and at the mission's findings that the Rapid Support Forces and its allied militias committed coordinated and large-scale attacks on the civilian population, often on the basis of civilians' ethnicity, including killings, torture, rape and other forms of sexual violence, including sexual slavery, and the destruction of objects indispensable to the survival of the civilian population,

Expressing deep concern at the statement by the Special Adviser to the Secretary-General on the Prevention of Genocide on 10 September 2024 that all the risks and indicators of the crime of genocide are present in the Sudan, and that serious allegations have been made that this crime has already been committed,

Noting the conclusions of the fact-finding mission that fighting will stop once the arms flow stops and that all States and entities must comply with the existing arms embargo in Darfur pursuant to Security Council resolution 1556 (2004) of 30 July 2004 and subsequent resolutions,

¹ A/HRC/57/23.

Recalling the common and sustained call, since the start of the conflict, for all parties to the conflict to immediately cease hostilities and to agree and adhere to a nationwide ceasefire, and for the establishment of an inclusive Sudanese, civilian and democratic political process, made by all relevant actors of the international community and international forums, including the Security Council, the Secretary-General, the High Commissioner, the African Union, the Intergovernmental Authority on Development and the League of Arab States,

Recalling also the common and sustained call, made by the same actors, for all parties to immediately allow for full, safe and unhindered humanitarian access into and throughout the Sudan and to adhere to their obligations under international humanitarian law and international human rights law,

Recognizing that impunity for violations and abuses of human rights and violations of international humanitarian law encourages their recurrence and is a fundamental obstacle to sustainable peace in the Sudan and that a comprehensive transitional justice process should address impunity and justice gaps, provide remedies and reparations to victims and promote truth-seeking, healing and reconciliation,

Welcoming the stated commitment by Sudanese authorities to investigate the atrocities and prosecute those responsible, as appropriate, through independent national accountability efforts and to investigate crimes and violations of national law and international humanitarian law, and urging the full implementation of such commitments, in line with international law,

Noting the ongoing investigation by the Office of the Prosecutor of the International Criminal Court into alleged international crimes committed in Darfur, including in the context of the current armed conflict, and noting also the statement of the Prosecutor to the Security Council on the situation in Darfur, pursuant to its resolution 1593 (2005), on 5 August 2024,²

Welcoming civilian-led efforts to end fighting, including the founding conference of the Coordination Body of the Civil and Democratic Forces (Taqaaddum), held in Addis Ababa from 27 to 30 May 2024, which called for the lifting of arrest warrants for leaders of the civil and democratic forces, and the conference of Sudanese civil and political groups, held in Cairo on 6 and 7 July 2024,

Welcoming also the leadership role of the African Union in responding to the situation in the Sudan, including the establishment of the African Union High-level Panel on the Sudan, in January 2024, and the convening of the inaugural and second Preparatory Meetings for the Inter-Sudanese Political Dialogue, from 10 to 15 July and from 10 to 12 August 2024 respectively,

Noting resolution 578 (LXXVII) 2023 of the African Commission on Human and Peoples' Rights, adopted on 9 November 2023, in which the Commission welcomed the decision of the Human Rights Council to establish the fact-finding mission in October 2023,

Noting with appreciation the international humanitarian conference for the Sudan and neighbouring States, held in Paris on 15 April 2024 to mark one year of conflict, and noting the commitments made to maintain pressure on the warring parties to reach a permanent ceasefire and to fulfil their humanitarian pledges for the people in the Sudan and those who have sought refuge in neighbouring States, while expressing grave concern over the continuing gap in financial support provided for United Nations response plans in the Sudan and neighbouring States,

Welcoming the visit to Port Sudan by the Expert on human rights in the Sudan, from 7 to 10 July 2024, at the invitation of the Sudanese authorities, the first visit by the Expert since the outbreak of the conflict, and welcoming also the engagement of the Sudanese authorities with the High Commissioner and the Expert,

Welcoming also the convening, by the Personal Envoy of the Secretary-General for the Sudan, of proximity talks between the parties to the conflict, in Geneva in July 2024, and the subsequent consultative forum and mediation retreat, in Djibouti, bringing together key

² See S/PV.9697.

regional actors, and encouraging coordinated engagement between the Personal Envoy and the African Union, the League of Arab States and other key regional actors to help to advance peace and an inclusive and comprehensive Sudanese-owned and Sudanese-led political process, with the full, equal, meaningful and safe participation of women and youth, that reflects the aspirations of the Sudanese people,

Underlining the importance of ensuring close coordination between all mediation and peace initiatives, including those undertaken by other regional and international partners, and noting with appreciation the ongoing Aligned for Advancing Lifesaving and Peace in Sudan talks aiming to convene peace talks between the parties to the conflict in August 2024, building from the earlier Jeddah process, and encourages coordinated engagement with all actors to reach a nationwide cessation of violence, enabling humanitarian access to all those in need, and to develop a robust monitoring and verification mechanism to ensure the implementation of any agreement,

1. *Reiterates its strong condemnation* of the continuing armed conflict between the Sudanese Armed Forces and the Rapid Support Forces and their associated and allied forces and all reported violations of international humanitarian law and all violations and abuses of human rights committed in this context, and echoes the similar condemnations expressed by the Secretary-General, the Security Council, the Peace and Security Council of the African Union, the African Commission on Human and Peoples' Rights, the Intergovernmental Authority on Development, other relevant regional and subregional bodies, individual States and civil society organizations;

2. *Expresses its grave concern* at the ongoing dire humanitarian and human rights crisis in the Sudan, including famine conditions at Zamzam camp and immediate risk of famine across the country, with 25.6 million people facing high levels of acute food insecurity, at phase 3 or higher according to the Integrated Food Security Phase Classification, including 755,000 people facing famine and 8.5 million people at emergency levels, as conditions have continued to deteriorate since the start of the current armed conflict on 15 April 2023, which has displaced more than 10 million people, including more than 2 million people into neighbouring States;

3. *Reiterates* its call for an immediate and complete ceasefire by all parties, without preconditions, the establishment of an independent monitoring mechanism of the ceasefire, the rehabilitation of critical basic infrastructure, a negotiated and peaceful resolution to the conflict on the basis of inclusive, Sudan-owned and Sudan-led dialogue, with the active participation of Sudanese civilian actors, including women, and the recommitment of all parties with the people of the Sudan to return to its transition towards civilian government;

4. *Calls* for the full implementation of the Jeddah Declaration of Commitment to Protect the Civilians of Sudan, requests the parties to authorize and ensure immediate, safe and unhindered humanitarian access, including cross-border and cross-line access, and condemns the deprivation by all parties to the conflict of essential humanitarian assistance, across several areas of the Sudan, and the attacks on and looting of humanitarian convoys, warehouses and aid agencies, including by the Rapid Support Forces and other affiliated militias;

5. *Welcomes* the decision of the Sudanese authorities to reauthorize humanitarian access through the Adré border crossing from Chad and calls for these measures to be sustained permanently to ensure that personnel, goods and supplies reach those in need, removing any bureaucratic impediments and operational conditions that unduly obstruct the movement of humanitarian personnel, goods and supplies;

6. *Condemns* the violations of international humanitarian law and violations and abuses of human rights reported in the Darfur region of the Sudan, including shelling across civilian neighbourhoods, resulting in civilian deaths, injuries and the destruction of towns and critical infrastructure by both sides, and acts of sexual and gender-based violence, ethnically motivated attacks on civilians and looting by members of the Rapid Support Forces and allied militia, and expresses its deep concern at the clear parallels between these developments and previous violations and abuses in Darfur;

7. *Expresses its grave concern* at reported acts of sexual and gender-based violence, the indiscriminate use of force against civilians by both parties to the conflict, indiscriminate aerial bombardments by the Sudanese Armed Forces and artillery shelling by both parties resulting in civilian deaths and the destruction of civilian homes and critical infrastructure, the illegal recruitment and use of children in armed conflict and sexual violence against children, principally by the Rapid Support Forces, and mistreatment, torture and life-threatening conditions faced by detainees held by both parties;

8. *Condemns* the renewal of attacks by the Rapid Support Forces in El Fasher and the shelling of Abu Shawk and Salaam camps and calls upon the Rapid Support Forces to immediately withdraw its forces from El Fasher and upon all parties to immediately de-escalate tensions, comply with applicable international humanitarian law in the conduct of evacuation and ensure the protection of civilians and civilian objects;

9. *Strongly deplores* the reported killings, attacks, arbitrary detention and acts of intimidation and retaliation targeting humanitarian and health workers, human rights defenders, including women human rights defenders, community leaders, public servants and local government workers, journalists and other media workers, students, lawyers and civil society actors, and targeting members of international organizations and the diplomatic community in the Sudan, which has a direct impact on the capacity of the international community to respond to the human rights and humanitarian crisis in the Sudan;

10. *Urges* all parties to the conflict in the Sudan to respect and protect civilians, including those who are humanitarian workers and health workers, and civilian infrastructure, and to allow civilians to move freely to gain access to the basic services and humanitarian assistance that they need;

11. *Strongly urges* all parties to take immediate and specific measures to put an end to and prevent further acts of sexual and gender-based violence, including rape, sexual slavery and sexual exploitation and abuse, by members of their respective forces or allied groups, and to ensure access to timely and quality services for survivors, and stresses the importance of providing survivor-centred responses to acts of sexual and gender-based violence and ensuring accountability for those who commit such acts;

12. *Urges* the United Nations, together with the African Union, to accelerate consideration of practical options for enhancing the protection of civilians in the Sudan, in close collaboration with relevant stakeholders and in full recognition of the obligation of the Sudan to act in accordance with international humanitarian law and to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity;

13. *Commends* Sudanese and regional relief and aid workers and local responders operating in the Sudan and along its borders for their bravery and work in challenging and dangerous circumstances to provide life-saving support to communities and calls for their protection, and also commends neighbouring countries that have hosted and provided assistance to refugees fleeing ongoing violence and recalls the importance under international law of respect by all States for the principle of non-refoulement;

14. *Stresses*, once again, that ensuring accountability for violations of international humanitarian law and violations and abuses of human rights is central to any solution to the ongoing crisis in the Sudan, as well as to efforts to address the root causes of the armed conflict and prevent further instability in the Sudan, and underscores the urgency of initiating prompt, full, independent, impartial, transparent and credible investigations into all alleged abuses and violations by all parties to the conflict, to end impunity and hold accountable those responsible through robust and credible criminal justice processes, while noting the important role that the International Criminal Court can play in this regard;

15. *Decides* to extend the mandate of the independent international fact-finding mission for the Sudan for a period of one year;

16. *Encourages* the fact-finding mission to give due regard to ensuring the complementarity of its efforts with those of other actors, including independent national accountability efforts and regional investigations;

17. *Requests* the fact-finding mission to provide the Human Rights Council with an oral update on its work at its fifty-ninth session and a comprehensive report at its sixtieth session, to be followed by an interactive dialogue, and to submit the report to the General Assembly at its eightieth session;

18. *Requests* the High Commissioner, with the assistance of the Expert on human rights in the Sudan, to submit to the Human Rights Council at its sixty-first session a comprehensive report on the situation of human rights in the Sudan and on violations and abuses committed by all parties to the conflict, to be followed by an interactive dialogue with the participation of the High Commissioner and the Expert;

19. *Requests* the Secretary-General to provide all the resources and expertise necessary to enable the Office of the High Commissioner to provide such administrative, technical and logistical support as is required to implement the provisions of the present resolution;

20. *Calls upon* the parties to the conflict to cooperate fully with the fact-finding mission in the performance of its work, and calls upon the international community to support fully the implementation of its mandate;

21. *Decides* to remain actively seized of the matter.
