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Wednesday, 18 December 2019, 3 p.m.

New York

Provisional

President: Mr. Barkin (United States of America)

Members:

Belgium	Mr. Pecsteen de Buytswerve
China	Mr. Zhang Dianbin
Côte d'Ivoire	Mr. Ipo
Dominican Republic	Mr. Trullols Yabra
Equatorial Guinea	Mr. Esono Mbengono
France	Mrs. Gasri
Germany	Mr. Schulz
Indonesia	Mr. Syihab
Kuwait	Ms. Alsabah
Peru	Mr. Ugarelli
Poland	Mr. Lewicki
Russian Federation	Mr. Kuzmin
South Africa	Mr. Molefe
United Kingdom of Great Britain and Northern Ireland . .	Mrs. Dickson

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of the Sudan to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Ms. Bensouda.

Ms. Bensouda: I thank you, Mr. President, for this opportunity to present my Office's thirtieth report on the Darfur situation, pursuant to resolution 1593 (2005).

In June, when I last briefed the Council (see S/PV.8554), I emphasized that the recent events in the Sudan presented a unique opportunity to ensure that the suspects against whom warrants of arrest had been issued by the International Criminal Court (ICC) in the Darfur situation finally faced justice in a court of law. I urged the authorities in the Sudan and the Council to seize that opportunity. I also expressed my hope that the Sudan would begin a new era of cooperation with my Office and, more generally, the Court. Today, emboldened by the events over the past six months, I repeat those messages, with greater confidence that the Sudan will honour its commitments to deliver justice for the victims in the Darfur situation.

Over the past six months, the Sudan's extraordinary transition has continued. On 17 August, the Constitutional Declaration, which sets out a political framework for the following 39 months, was signed by the Transitional Military Council and the Forces for Freedom and Change. On 21 August, the new Sovereign Council, composed of six civilians and five military personnel, was sworn in. Shortly thereafter, a new Cabinet was inaugurated, led by Prime Minister Abdalla Hamdok.

Those political changes have already yielded a number of positive developments in relation to the Darfur situation. Foremost among these is the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation, signed on 11 September by the Sovereign Council and a coalition of armed groups across the Sudan, including in Darfur. The Declaration sets out a comprehensive road map for peace across the Sudan, with the ultimate aim of a national peace agreement. Given the correlation between peace, stability and the prevention of atrocity crimes, it is essential that all sides commit to this initiative and that the ongoing crimes in Darfur stop.

As the Council is aware, there are ICC arrest warrants for the five suspects in the Darfur situation, and each of these remains in force, notwithstanding the ongoing developments in the Sudan. In response to my last report to the Council, the representative of the Sudan confirmed that investigations by the Sudanese public prosecutor were ongoing in relation to Mr. Omer Al-Bashir, Mr. Abdel Raheem Hussein and Mr. Ahmad Harun. All are believed to be in detention in Khartoum. The exact whereabouts of the remaining two Darfur suspects, Mr. Ali Kushayb and Mr. Abdallah Banda, are unknown.

Mr. Al-Bashir has been tried in the Sudan for financial crimes. Last week, on 14 December, he was reportedly sentenced to two years in detention. A statement issued by the Sudan's public prosecutor shortly after the verdict indicated that a number of other cases are pending against Mr. Al-Bashir, including in relation to the 1989 coup that brought him to power and crimes against humanity in Darfur.

In my last report to the Council, I emphasized that, pursuant to the fundamental principle of complementarity enshrined in the Rome Statute, the primary responsibility to investigate and prosecute crimes rests with national criminal jurisdictions. In response, the representative of the Sudan noted the reference to complementarity, describing it as "positive".

I was encouraged by the fact that he also emphasized that "fighting impunity is a noble cause of justice" and that this "falls primarily within the responsibility of the relevant national investigative and judicial institutions". While that position is entirely consistent with the Rome Statute, the principle of complementarity ensures that, while States have the primary responsibility for

bringing perpetrators to justice, the ICC's jurisdiction is engaged if States are inactive or otherwise unwilling or unable to genuinely exercise that duty.

With that in mind, in the present circumstances, notwithstanding recent media reports in relation to Mr. Al-Bashir, the Office is not aware of any concrete information suggesting that the suspects in the Darfur situation are currently subject to domestic investigation or prosecution for the same criminal conduct alleged in the relevant ICC arrest warrants. Unless and until the Sudan can demonstrate to the ICC judges that it is willing and able to genuinely investigate and prosecute the Darfur suspects for the crimes alleged in their respective arrest warrants, those cases will remain admissible before the ICC. The Sudan must ensure that the five ICC suspects in the Darfur situation are brought to justice without undue delay, in a courtroom either in the Sudan or in The Hague. In that way, the Council's referral of the Darfur situation to my Office can finally yield tangible results in court for the victims the Council sought to protect, and progress can be made towards resolving the Council's referral of the Darfur situation to the ICC.

In June I made it clear that my Office is ready to engage with the Sudan. Since then I have been encouraged by public statements made by high-level Sudanese officials, which have indicated a clear commitment to accountability in the Sudan. Notably, Prime Minister Hamdok declared before the General Assembly on 27 September (see A/74/PV.10) that the Sudan is determined to uphold its commitment to the principles of international law, international human rights, as well as to the efforts aimed at eradicating all forms of discrimination, exploitation, injustice and inequality. In early November, the Prime Minister reportedly visited Darfur, including camps for internally displaced persons where Darfuris reportedly appealed for justice. On 17 October, in response to the special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic assessment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) (S/2019/816), the representative of the Sudan told the Council (see S/PV.8643) that the Sudan is a new country that seeks to join the international community as a peace-loving member that seeks international cooperation, is committed to international law and respects the basic rights of its citizens.

A commitment to international law must include the Sudan's duties under the Charter of the United Nations, pursuant to which the Sudan is bound by the Council's decisions, including its decision to refer the Darfur situation to the ICC. Respect for international human rights and the basic rights of Sudanese citizens must include a willingness to ensure accountability for the gross human rights violations against Sudanese Darfuri citizens, as alleged in the ICC arrest warrants. The Sudan now has the opportunity to demonstrate that commitment to international law and respect for international human rights by complying with its obligations arising from resolution 1593 (2005) and working with my Office. I have consistently emphasized that this cooperation is crucial to the Office's independent and impartial investigations in the Darfur situation. In that regard, it is my sincere hope that in the near future, my Office will be granted access to the Sudan to facilitate our work and discuss the way forward. The Sudan has a legal duty to cooperate with my Office, pursuant to resolution 1593 (2005) and the jurisprudence of the Appeals Chamber of the ICC. Cooperation with the ICC would clearly demonstrate to the Council and the international community writ large that the Sudan is committed to achieving justice for the victims in the Darfur situation and that it has followed through on its declared commitments and assurances with visible and practical steps.

Despite the positive developments in the Sudan, including in relation to the peace process, crimes in Darfur regrettably continue. They must stop. The Darfur situation remains a priority for my Office, and I am pleased to report that substantial progress was made in the investigations during the reporting period. In addition, my team continues to monitor events in Darfur, and when circumstances require, I will investigate and, where appropriate, prosecute those most responsible for crimes in Darfur that fall within the Court's jurisdiction.

Clashes between Government forces and the Sudan Liberation Army-Abdul Wahid (SLA/AW) have reportedly continued in the Jebel Marra area, resulting in approximately 60 civilian casualties. Unfortunately, that fighting has also led to the displacement of more than 2,300 people in Darfur, mostly women and children, and has exacerbated the already unstable living conditions in camps for nearly 2 million internally displaced persons in the region. I am deeply troubled by the fact that sexual and gender-based

violence, as well as grave violations against children, have persisted in Darfur throughout this ongoing armed conflict. Since June, UNAMID has reported sexual and gender-based violence against 17 victims, including seven minors, and grave violations against 84 children, including 35 girls. Although UNAMID has identified the perpetrators of those atrocities as mostly SLA/AW fighters, they have also noted violations by the Rapid Support Forces (RSF), among other groups.

Additionally, in July UNAMID reported that SLA/AW elements were responsible for the temporary abduction of several local and international staff members from international non-governmental organizations around Golo and Jebel Marra, and the looting of critical humanitarian equipment. That disturbing incident closely followed the RSF's alleged seizure of UNAMID facilities that I mentioned to the Council earlier this year (see S/PV.8554). I am pleased to note that UNAMID now reports that the Sudanese authorities have provided assurances that those facilities will be handed over to the Darfur state for the purposes of health, education and other services. It is with those essential human rights monitoring functions in mind that I commend the Council on its adoption of resolution 2495 (2019), extending the mandate of UNAMID until 31 October 2020.

In my statement before the Council in June, I also expressed deep concern regarding the alleged attacks by Government forces on peaceful protesters in Khartoum on 3 June. As those present will recall, those Government forces were allegedly made up of the RSF, whose members include former Janjaweed militias linked to systematic human rights abuses in the Darfur region between 2003 and 2008. The new Administration has since created a commission of inquiry to investigate human rights violations that occurred in the course of those attacks. I sincerely hope that this investigation will be conducted in an independent, impartial and fair manner by the competent domestic authorities.

In relation to the recent judicial activities, on 30 October a confidential status conference was held by the Trial Chamber in Mr. Abdallah Banda's case. Its purpose was to discuss the status of the case and the way forward to ensure Mr. Banda's appearance at trial. As I mentioned, Mr. Banda's arrest warrant has not been executed, and he remains a fugitive from the Court. Following that status conference, the Chamber made a number of requests, including for submissions from the Prosecution and the defence on their

respective positions on trials in absentia in the specific circumstances of Mr. Banda's case. Those confidential submissions were filed on 13 December, and the parties now await further direction from the Chamber.

It would be remiss of me not to express my sincere gratitude for the principled support and cooperation that my Office continues to receive from a number of States. I particularly welcome the public statements that members of the Council have made to encourage the Sudan to cooperate with my Office. It is time to embark on a new chapter in the relationship between the Sudan and my Office rooted in a commitment to finally bring those most responsible for the atrocity crimes perpetrated against the people of Darfur to justice. My Office is ready and willing to do so, and we hope that our hand extended in cooperation in the pursuit of justice is met favourably by the new authorities in the Sudan.

My Office also continues to benefit from essential support provided by various organizations and individuals committed to the cause of justice in Darfur. I particularly want to express my sincere and heartfelt appreciation to Darfur's victims' groups, in which many courageous women and men work tirelessly to ensure that justice in the Darfur situation remains a critical issue in the Sudan's transition. I am humbled and inspired by their strength, courage and determination.

I will finish where I began, with a request for the reinvigorated support and engagement of the Sudan and the Council in the Darfur situation. The Sudan continues on its extraordinary journey. Its publicly stated commitments to international law and international human rights and justice have created a renewed expectation for accountability in the Darfur situation. The Sudan is now on a path towards greater peace and stability. If that can be achieved, justice for the victims will be essential to a comprehensive and enduring peace in Darfur. In its transition process, the Sudan has benefited from the support of the Council and the United Nations system, the African Union and multiple States and regional organizations. Now a principled caucus must rally to strongly support and encourage the Sudan in its pursuit of justice in Darfur.

In response to the special report on UNAMID, the representative of the Sudan told the Council on 17 October that the Sudan of today is totally unlike the Sudan the Security Council has come to know over the past three decades. Those are promising words that must

be translated into action. I now invite the Sudan, with the support of the Council, and all stakeholders in the Darfur situation to work with my Office and in doing so demonstrate that the Sudan of today is unambiguously committed to achieving long-awaited justice for the victims in Darfur. As has been most eloquently said in some timeless words, “The arc of the moral universe is long, but it bends towards justice.”

We must seize the opportunity now to take concrete steps to end impunity for the alleged crimes in Darfur. Before the Council and the representatives of the Sudan here today, I reiterate my Office’s willingness to engage in dialogue and cooperation with the Sudan so that justice can finally be served for the victims of atrocity crimes in Darfur, either in a Sudanese court or before the ICC.

The President: I thank Prosecutor Bensouda for her briefing.

I would like to draw the attention of speakers to paragraph 22 of presidential note S/2017/507, which encourages all participants in Council meetings to deliver their statements in five minutes or less, in line with the Security Council’s commitment to making more effective use of open meetings.

I now give the floor to those members of the Council who wish to make statements.

Mr. Trullols Yabra (Dominican Republic) (*spoke in Spanish*): We welcome Prosecutor Bensouda, whom we thank for the information she has presented to the Council in her role as Prosecutor of the International Criminal Court, and which highlights the great challenges facing her Office.

We would like to begin by expressing our satisfaction with the progress made since the last report. We warmly welcome the signing of the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation. Ensuring the ceasefire and humanitarian actors’ access to the various areas of conflict in the Sudan is essential if Sudanese society is to continue advancing towards peace.

We are pleased that the national justice system is investigating the cases of Mr. Hussein, Mr. Harun and Mr. Al-Bashir. We welcome the recent conviction of Mr. Al-Bashir to two years’ imprisonment for corruption. However, we are concerned that the crimes in question are minor and different from those established in the International Criminal Court’s indictments. We

therefore want to remind the new authorities in the Sudan of how important it is that States cooperate with the Court so that it can achieve its objectives.

We regret the loss of life in the Jebel Marra area resulting from disputes between the Government and the Sudan Liberation Army-Abdul Wahid. We urge the parties to the conflict to ensure the protection of civilians. We also call on the members of the Council to unite their efforts to reduce crime in the refugee camps that are home to thousands of people displaced by the conflict. In the Dominican Republic’s view, eliminating sexual abuse as a war crime is a priority. Such offences must not be tolerated and their perpetrators must be brought to justice. We urge the new Sudanese authorities to prioritize the fight against sexual abuse and gender-based violence in their plan for governing. Addressing such harmful actions is crucial to the healthy and safe development of Sudanese children and the elimination of violence against women.

We warmly welcome the news that the buildings belonging to the African Union-United Nations Hybrid Operation in Darfur that were seized by armed forces will be handed over to the authorities for the purpose of providing health care, education and other social services.

Lastly, the Dominican State reaffirms its support for the International Criminal Court, and we urge the international community to join the efforts to assist the courageous people of the Sudan. The new Sudanese leadership is tasked with strengthening the protection of human rights and eliminating impunity in order to promote the resilient advancement of Sudanese society.

Mrs. Dickson (United Kingdom): I too would like to thank the Prosecutor for her thirtieth report on the situation in Darfur pursuant to resolution 1593 (2005) and her briefing to the Council today. I want to take this opportunity to thank the Prosecutor and her team for their dedication in pursuing the investigations and continuing to seek justice for victims in Darfur.

The International Criminal Court (ICC) has an important role to play in seeking justice and holding perpetrators of the most heinous crimes to account, and the United Kingdom strongly supports its efforts. Since the Prosecutor’s last briefing (see S/PV.8554), we have seen positive developments in the Sudan with the agreement on a transitional period that sets out a pathway for leading the Sudan into a democratic future. The appointments of a civilian

Prime Minister and a Cabinet of technocrat ministers are welcome steps, as are the pledges to protect human rights and the rule of law. There are still significant challenges for the transitional Government to address, however. We welcome the commitment to building a credible Sudanese judicial system and the pledge to seek accountability for past crimes, including by establishing an independent commission of inquiry into the brutal attacks on protesters earlier this year. The United Kingdom will support the Prime Minister of the Sudan and the transitional Government in those efforts and in building a new Sudan, as called for by the Sudanese people.

The Sudanese people have suffered as a result of their country's long history of internal conflict. Past crimes cannot be forgotten, and we must ensure that accountability is delivered. That includes the crimes committed during the conflict in Darfur, which according to United Nations estimates left more than 300,000 people dead and 2.5 million displaced. Those victims deserve to see justice served, as well as the achievement of a long-term solution to the root causes of the conflict. Almost 2 million people remain internally displaced in Darfur, and the United Kingdom is concerned about the reports of further violence and displacement in northern Jebel Marra and of returning internally displaced persons being met with violence. The transitional Government has stated that securing long-lasting peace in the Sudan is a priority and has demonstrated positive steps by engaging with armed groups and entering into peace talks.

The United Kingdom welcomes the signing of declarations in Juba and the resumption of talks on 10 December. We continue to urge all groups to engage productively and without any preconditions in those discussions. Sustainable peace underpinned by justice and accountability must be found for the victims of this conflict and for the people of the Sudan.

The security situation and the safety of the civilians of Darfur must be a priority as we consider a transition from peacekeeping to peacebuilding in the region. We appreciate that, during the momentous changes in the Sudan, there have been limited opportunities for the Prosecutor and her team to achieve their desired progress on this case. We welcome the Prosecutor's briefing and note that she has been able to strengthen her case. The United Kingdom once again renews its call to all State parties to cooperate with the ICC. We encourage the transitional Government in the Sudan to

engage constructively with the Office of the Prosecutor with the intention of making progress with regard to this case. We stand ready to support the civilian administration as it seeks to build the rule of law throughout the Sudan and ensure that those responsible for the horrific crimes committed in the Sudan are held to account and that those horrors do not recur.

Finally, we again thank the Prosecutor and her team for their continued commitment to making progress in their investigations, despite long-standing access restrictions and a lack of cooperation. We urge them to continue with that important work and to strive to achieve justice for the victims of the conflict in Darfur.

Mrs. Gasri (France) (*spoke in French*): I too want to thank Prosecutor Bensouda for her briefing and her report.

As a key actor in the multilateral system and a permanent court of universal scope, the International Criminal Court requires the full cooperation of us all. More than ever, it must be able to successfully carry out its assigned tasks, namely, delivering independent and impartial justice where national jurisdictions are unable to do so, as well as ending impunity for the most serious crimes and, in doing so, contributing to stabilization and reconciliation efforts. The Court continues to be responsible for carrying out those tasks in Darfur today, 14 years after the adoption by the Council of resolution 1593 (2005).

France reiterates its support for the work that has been done by the Office of the Prosecutor and its teams — which we too commend — to bring justice to the victims of the crimes that were committed. France is convinced that that is a necessary condition for a successful Sudanese transition. The fight against impunity must indeed be made a priority in order to move towards a fair and democratic system. We welcome Prime Minister Hamdok's commitments in that regard, and we call on the Sudanese authorities in particular to provide the relevant commission of inquiry into the events of 3 June with the necessary means to conduct its work independently. The results of that investigation should enable us shed light on the violent dispersion of the sit-in and identify those responsible, who must be held accountable before the courts for their actions.

The situation in Darfur remains precarious. Fighting continued to claim dozens of civilian lives during the reporting period and displaced several thousand people, in particular women and children.

Women and girls continue to suffer sexual and gender-based violence, while serious crimes continue to be committed against children. In that regard, France too would like to reiterate the crucial role that the African Union-United Nations Hybrid Operation in Darfur plays in protecting civilian populations and reporting human rights violations. Despite the precarious situation, however, France views the transition as an opportunity to begin a new chapter between the Sudanese authorities and the International Criminal Court that would enable the Sudan to finally comply with its obligations under resolution 1593 (2005). We call on the Sudan to allow the Prosecutor's teams to travel to Darfur. That would serve as a strong signal that would also make it possible to establish the dialogue needed to form a relationship of trust.

France welcomes the arrest and detention of three of the five Darfur suspects wanted by the International Criminal Court. We also take note of the decision of a national court this past Saturday to sentence Mr. Al-Bashir to two years in detention for acts of corruption, as well as the case that was filed against those primarily responsible for the 1989 coup d'état. We call on the Sudanese authorities to prosecute the alleged crimes detailed in the corresponding arrest warrants issued by the International Criminal Court or to submit them to the Court, in accordance with the principle of complementarity. Such developments would very concretely demonstrate the Sudan's commitment to taking a decisive step towards justice, peace and providing recognition to the victims of the crimes committed in Darfur. In parallel, we hope that the negotiations with the armed groups in Darfur and in two states in the Sudan, which have just resumed in Juba, will lead to an agreement that will enable lasting peace to be built. We encourage all the armed groups to join that negotiation process without delay. It was in that spirit that we facilitated a meeting between Prime Minister Hamdok and Abdul Wahid Al-Nur on 29 September in Paris.

Mr. Zhang Dianbin (China) (*spoke in Chinese*): China listened to the briefing delivered by Prosecutor Bensouda.

We note that the situation in the Darfur region of the Sudan has seen big improvements recently. China calls on the international community to take concerted efforts and provide more help to the Darfur region so that it can achieve lasting peace and security and sustainable development. That is in the common interests of the

Sudan and the countries in the region. The international community should fully respect the legal sovereignty of the Sudan and avoid interfering in its internal affairs. It should also attach importance to the legitimate appeals of the Sudanese Government and the African Union regarding the engagement of the International Criminal Court (ICC) on the situation in Darfur and respect the opinions of the Sudanese Government. China is ready to work with the international community to play a constructive role in achieving peace, stability and development in the Darfur region. China's position on the engagement of the ICC on the situation in Darfur remains unchanged.

Mr. Esono Mbengono (Equatorial Guinea) (*spoke in Spanish*): First, allow me to thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, for her briefing on her thirtieth report on the activities of the Court carried out during the reporting period, in accordance with paragraph 8 of resolution 1593 (2005).

As the report states, the new Administration in Darfur has taken significant steps to ensure peace, security and stability in the country. That fact deserves recognition and praise from all parties, given the significant political advances that have been made in Darfur. In that connection, we welcome the signing of the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation, signed on 11 September by the Sovereign Council and a coalition of armed groups across the Sudan, including in Darfur. We hope that the road map set out in the declaration can be implemented and that the people of the Sudan will see the signing of the long-awaited peace agreement that they deserve.

As far as the Court is concerned, it bears remembering that it was established for a reason, and we expect it to fulfil its mandate efficiently, impartially and transparently in the Sudan. All the Darfur victims deserve justice, and accountability is fundamental to achieving stable and lasting peace in Darfur. All the perpetrators of crimes against humanity and genocide must therefore be brought to justice. However, we continued to see slow or limited progress on judicial activities, including on investigations by the International Criminal Court during the reporting period. We also note that, despite the activities that the Court has undertaken to fulfil its mandate, there is a persistent lack of cooperation with the Court from some States, even some that are Parties to the Rome Statute.

That is why, as a country that is not a party to the Statute, we hope that the International Criminal Court will continue to act solely as a complementary institution, prioritizing Sudanese jurisprudence and thereby joining the regional and international efforts to strengthen the Sudan's capacity to promote the rule of law and safeguard human rights, as we believe that it is only joint efforts and mutual trust among the parties and institutions that will enable the Sudan to be stable, peaceful and prosperous. In that process, the sovereignty and territorial integrity of the Sudan must be respected.

In conclusion, the position of Equatorial Guinea on the Court is well known. For that reason, any comments by my country's delegation with regard to any of the activities of the International Criminal Court should never be interpreted as a recognition of its jurisdiction, which we reject.

Mr. Pecsteen de Buytswerve (Belgium) (*spoke in French*): I would like to thank Prosecutor Fatou Bensouda for her briefing.

We have seen historic developments in the Sudan in the past few months. It was against that backdrop that in June, at the previous Council briefing (see S/PV.8554) on the situation in Darfur by the Prosecutor of the International Criminal Court (ICC), my delegation called for opening a new chapter in the history of the relations between the ICC and the Sudan. We should welcome the latest encouraging developments. In his statement here in New York during the General Assembly's high-level week (see A/74/PV.10), Prime Minister Hamdok included among his priorities respect for human rights, the strengthening of the rule of law and the development of transitional justice processes. In addition, several of the suspects subject to arrest warrants issued by the ICC have been arrested and are now under investigation, and the Sudan's former President, Omer Al-Bashir, has just been convicted of financial crimes. However, we note that there is no indication that the investigations concern the crimes for which the suspects in question are wanted by the ICC.

Belgium continues to believe that the transitional Government has a unique opportunity to finally render justice for the victims. As the Prosecutor just noted, in accordance with the principle of complementarity enshrined in the Rome Statute, there are two options available to the Sudanese authorities in complying with their international obligations. They can decide either

that they will prosecute the five suspects themselves or that they are unable to do so and must therefore take the necessary measures to arrest and transfer the individuals concerned to the Court.

In the immediate term, we call on the transitional Government to respond positively to the request for cooperation from the Office of the Prosecutor. The aim is to initiate a dialogue to ensure that a judicial process can take place effectively, whether in The Hague or in the Sudan with the support of the ICC, if necessary. In addition, the Sudanese authorities should facilitate the access of the Office of the Prosecutor to their territory to enable it to contact key witnesses and collect additional evidence. We should point out that in accordance with Council resolution 1593 (2005) and as confirmed by the Court's Appeals Chamber in May, the Sudan is still obliged to cooperate fully with the ICC and its Prosecutor.

In our view, the situations in Darfur and in the rest of the Sudan are inextricably linked. We deplore the persistence of violations of human rights and international humanitarian law, especially sexual and gender-based violence and violence against children. Given the current context, the Council's support for the Court, which still has jurisdiction over the most serious crimes committed in Darfur since 1 July 2002, is more essential than ever. The calls from the people and civil society of Darfur for justice for the victims of the crimes committed there have increased greatly since the transition began. They are full of hope, and we cannot ignore the fact that justice will be an indispensable part of any lasting peace solution in Darfur, as in the rest of the Sudan.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): We would first of all like to note that the signing of the Interim Constitutional Declaration has been an important step on the path to stabilizing the situation in the Sudan over the long term. We want to point to the mediation efforts of Ethiopia and the African Union in the negotiation process, which were a practical embodiment of the notion of African solutions to African problems. However, we must give due credit to the people of the Sudan themselves, who were able to overcome their differences and reach agreement against a backdrop of unrelenting external pressure whose purpose was not to help the parties get down to negotiations but merely to manipulate the political landscape in Khartoum to suit their own narrow interests.

With regard to the state of affairs in Darfur, we are seeing a noticeable improvement in the security situation and a certain degree of normalization on the humanitarian front. The general dynamics have not changed in the areas that the Blue Helmets had already withdrawn from. And most importantly, no negative security trends have emerged. The sporadic clashes in the Jebel Marra region between Government forces and the Sudan Liberation Movement/Abdul Wahid group, which is still the main spoiler for the peace process, do not change that assessment. In that connection, we believe it will be essential to continue with the phased drawdown and withdrawal of the African Union-United Nations Hybrid Operation in Darfur. We hope that a dialogue with the Sudanese authorities will help to create the right conditions and determine the parameters for subsequent international support to the peace process in Darfur. The challenges that Darfur is now facing are related to peacebuilding rather than peacekeeping. The time has come to concentrate on Darfur state's restoration and economic development, and that should be the priority now.

As for the activities of the International Criminal Court regarding Darfur, we have read Prosecutor Bensouda's most recent report. Just as before, we have seen no progress in its work and our views and approaches therefore remain unchanged.

Mr. Syihab (Indonesia): At the outset, I would like to thank Ms. Fatou Bensouda for her very comprehensive briefing. My delegation has taken note of the thirtieth report of the Prosecutor of the International Criminal Court (ICC) on the investigation of the situation in Darfur, submitted pursuant to resolution 1593 (2005). Today I will focus on three issues.

The first is the recent developments in the Sudan. The security situation in Darfur remains relatively stable, with few disruptions in the trends that have emerged since 2016. We have witnessed some remarkable developments since Ms. Bensouda's last briefing in June (see S/PV.8554) that present a real opportunity for a fair and comprehensive peace in Darfur. A transitional Government is now in place and has taken significant steps to secure peace in Darfur. We are encouraged by the ongoing peace talks, which for the first time in the modern history of the Sudan involve almost all of the armed groups in the country. Indonesia supported the adoption in October of resolution 2495 (2019), which renewed the mandate of the African Union-United Nations Hybrid

Operation in Darfur (UNAMID) for 12 months, in line with the request of the Prime Minister of the Sudan. We fully endorse the focus of UNAMID's mandate on supporting the peace process and the implementation of any peace agreement. Those gains should serve as a stepping-stone to further tangible progress, including sustainable peace and socioeconomic recovery.

Secondly, concerning the many persistent challenges on the ground, several conflict drivers remain to be addressed. Internally displaced persons (IDPs) are confronted by security challenges and a lack of access to land and economic opportunities. My delegation consistently stresses the imperative for the full protection of civilians and the observance of international humanitarian law. We remain concerned about incidents that have had an impact on human rights and the protection situation that continue to occur across Darfur and target the most vulnerable, including IDPs, women and children. We extend our deepest sympathies to the victims and to the people of the Sudan who have been impacted by the conflict in their country. There is an urgent need to uphold accountability and ensure that the Sudanese regain their confidence in law enforcement and judicial institutions.

That brings me to my third point, namely, the proceedings of the ICC. Efforts to pursue justice must be part of the wider efforts to achieve peace in Darfur. While peace cannot be complete or sustainable without justice, justice cannot prosper in the absence of peace. The Security Council has a responsibility to ensure that the Sudan complies with the provisions of resolution 1593 (2005). At the same time, according to the Rome Statute, the role of the ICC is complementary to national criminal jurisdiction. My delegation believes that the referral of the situation in Darfur should neither nullify the principle of complementarity or prevent the Sudanese national court from invoking its jurisdiction. While calling on the Sudan to take up those responsibilities promptly and properly, we must also empower the Sudan's judicial authority to exercise its sovereignty, including through adequate capacity-building in the justice system.

Mr. Ipo (Côte d'Ivoire) (*spoke in French*): My delegation welcomes the holding of this meeting on the report of the Prosecutor of the International Criminal Court (ICC) on the situation in Darfur, held pursuant to resolution 1593 (2005), and commends Prosecutor Fatou Bensouda on her very detailed briefing.

Côte d'Ivoire notes with satisfaction the political changes that have taken place in the Sudan over the past months and their positive impact on the entire country, including in the Darfur region. Accordingly, my delegation commends the efforts of the Sudanese Prime Minister, Mr. Abdalla Hamdok, in pursuing peace and stability for the Sudanese people, in general, and for the people of Darfur, in particular. My country also welcomes the mediation and support initiatives of the countries of the region, the African Union and the United Nations to lead the Sudanese parties towards reaching a political solution to this conflict, which has claimed many victims.

Despite the progress made, the situation in Darfur remains precarious, as demonstrated by sporadic clashes between Government forces and elements of the Sudan Liberation Army-Abdul Wahid faction in Jebel Marra and the persistence of criminal activity in the region. My delegation also remains concerned about recurrent allegations of human rights violations and sexual and gender-based violence against the people. It is therefore important that urgently needed measures be taken to ensure full protection for civilians and respect for human rights and basic freedoms.

Given our firm commitment to respect human rights and based on our own experience, Côte d'Ivoire reaffirms that the fight against impunity and the principle of accountability are imperative to achieving genuine national reconciliation and the establishment of lasting peace in Darfur. Côte d'Ivoire therefore commends the laudable activities of the Office of the Prosecutor in promoting justice and the fight against impunity for crimes committed in Darfur. My country also welcomes the commitment and determination of the Sudanese authorities to effectively respond to the justice needs of the victims of the crisis. In that regard, Côte d'Ivoire urges the Court to support their efforts in the implementation of resolution 1593 (2005).

My country calls for frank cooperation between the Court and the new Sudanese authorities through joint measures to promote accountability and strengthen national judicial institutions. My delegation is of the view that the Sudan needs multifaceted support more than ever in order to prevent any recurrence of conflict. The success of the political process and peacebuilding will be achieved only through the involvement of all subregional, regional and international actors.

In conclusion, Côte d'Ivoire reiterates its call for constructive cooperation among the ICC and the States and actors involved in the process of resolving the crisis in Darfur. My country reiterates its full support for the Prosecutor and her Office in their commitment to promoting justice.

Ms. Alsbah (Kuwait) (*spoke in Arabic*): I thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court (ICC). We take note of her briefing on her Office's thirtieth report on the Sudan.

The Sudan has entered a new era of freedom, peace and justice. Darfur, which has emerged from conflict and has begun a new phase of peacebuilding, is an integral part of the Sudan. That is why the Security Council must take into account the new changes and developments on the ground, especially as the peace process involving the Sudanese parties continues on the path towards achieving peace. Justice must also be the result of an agreement among the Sudanese themselves and based on their national laws in the first place. Accordingly, we hope that the proceedings of the ICC will not hinder the efforts to achieve peace in the Sudan.

We also hope that the Sudanese people will be allowed to move forward on the transition process and promote stability and security in the Sudan in a manner that meets the aspirations of the brotherly Sudanese people.

The ICC judgement against the former President of the Sudan, Mr. Omer Al-Bashir, has not been endorsed by international organizations of which the Sudan is a member, such as the League of Arab States, the African Union and the Organization of Islamic Cooperation. Those organizations are part of the international and regional partnerships with the United Nations in line with Chapter VIII of the Charter of the United Nations.

As our term on the Security Council is coming to an end, and as the Council's only Arab member, the State of Kuwait recalls decision 514 adopted by the League of Arab States at its twenty-second Summit held in Sirte in 2010. The decision represents the position of Arab States on the proceedings of the ICC. The decision also rejects any attempt to politicize the principles of international justice or exploit them to undermine the sovereignty, unity or stability of other States.

In conclusion, as this is our last discussion of this issue for this year, we reiterate our commitment

to respecting the principles of the Charter, including those calling for respect for the sovereignty of States. We stress the importance of respecting the sovereignty and independence of the Sudan.

Mr. Ugarelli (Peru) (*spoke in Spanish*): We are grateful for the convening of this meeting and the informative briefing by Prosecutor Fatou Bensouda.

Peru welcomes the political developments that have taken place in the Sudan since the 17 August political agreement aimed at the establishment of a civilian-led transitional Government. We also welcome the signing of the constitutional declaration and the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation, and the opening of the country to humanitarian access. Also important are the efforts of the Sovereign Council and the Government to bring to the negotiation table armed groups that are not yet party to those agreements, in particular the Sudan Liberation Army-Abdul Wahid faction, which continues to pose a security challenge, especially to the civilian population and humanitarian personnel in the Jebel Marra area, and whose actions are leading to newly internally displaced persons.

We are also pleased that the new Sudanese authorities have visited Darfur and expressed their willingness to consolidate peace in that region, which includes meeting the demands of victims for justice and developing a constructive relationship of cooperation with the International Criminal Court. In line with the principle of complementarity, that involves allowing the Court to fulfil its primary responsibility, which is to prevent the most serious crimes from going unpunished. In particular, we must ensure that the crimes of which former President Omer Al-Bashir is accused, as well as those of other suspects with a current arrest warrant, are held to account.

Similarly, it will be necessary for the Sudanese authorities — as well as all States — to spare no effort to comply with the obligation to detain and hand over fugitives suspected of crimes against humanity, war crimes and genocide. Moreover, it will be important for the International Criminal Court to cooperate with the Sudanese Government to pursue those goals. In that context, we wish to reiterate our support for the important work of the Prosecutor of the Court and her team. We encourage her to continue her efforts to fulfil her mandate and uphold the values of the Rome Statute.

We believe it is necessary to reaffirm the need for States, including members of the Security Council, to cooperate with the International Criminal Court and its Prosecutor to achieve justice for the crimes perpetrated in Darfur. It is our conviction that the primary responsibility of the Council to maintain international peace and security and the competency of the Court over the most serious crimes must be understood as complementary and interdependent tasks. That constitutes a commitment that we made to universal jurisdiction and to the victims of the atrocities committed in Darfur.

Mr. Schulz (Germany): First of all, I wish to thank Prosecutor Bensouda for her comprehensive report on the situation in the Sudan, particularly with regard to jurisdiction over very serious crimes, atrocities and human rights violations that have been committed in Darfur.

Germany witnesses with much respect the promising yet fragile political developments in the Sudan. We will continue to support the Sudan on its path to a truly civilian Government, formed on the basis of free elections, in order to fulfil the democratic aspirations of the Sudanese people. The democratic aspirations of the Sudanese people necessarily include Sudanese-led transitional justice, which is why we look forward to learning more about the transitional Government's ideas on transitional justice

Good governance, the rule of law, respect for human rights and free elections are key factors on the way to achieving lasting peace and stability. We also know that reconciliation is fundamental to that end, but that it can happen only when those who are responsible for atrocities, especially in the Darfur conflict, are held accountable and prosecuted. Germany therefore encourages the authorities in the Sudan to ensure accountability and make headway towards the future by addressing the past. Ending impunity for the most serious crimes is critical for preventing further grave crimes and constitutes the foundation of a peaceful and prosperous future for the country. We concur with the Prosecutor that accountability for crimes under the Rome Statute and full respect for the rule of law and human rights are indispensable prerequisites for sustainable peace, stability and development in the Sudan.

In line with the principle of complementarity, it is the primary responsibility of the territorial states

to investigate and prosecute crimes under the Rome Statute. In that vein, we have taken good note of the statement issued by the Sudan's Public Prosecutor, as reported by Prosecutor Bensouda, shortly after the verdict on Mr. Al-Bashir, which indicated that a number of other cases are pending against him, including in relation to the 1989 coup d'état that brought him to power and to crimes against humanity in Darfur.

However, if justice for crimes under international criminal law are not part of the national jurisdiction, the Sudan should cooperate with the United Nations and the International Criminal Court (ICC) in the interest of ensuring accountability. Germany strongly supports the ICC with regard to its investigations concerning all serious crimes committed since 2005. Those crimes cannot go unpunished.

We have also taken good note of the Prosecutor's statement regarding the confirmation by the representative of the Sudan that investigations by the Sudanese Public Prosecutor were ongoing in relation to Mr. Al-Bashir, Mr. Abdel Raheem Hussein and Mr. Ahmad Harun. All are believed to be in detention in Khartoum. In our view, it is crucial that they eventually face justice with regard to their responsibilities for the situation in Darfur, not only on charges of corruption but for events that took place over the past years.

We call on all United Nations States Members, in particular those on the Security Council, to keep up their support for the Court in order to end impunity. We also call on those States that have not yet joined the Rome Statute to consider doing so.

Mr. Molefe (South Africa): At the outset, allow me to thank the Prosecutor of the International Criminal Court (ICC), Ms. Fatou Bensouda, for her comprehensive briefing on the situation in the Sudan. South Africa continues to support the full implementation of resolution 1593 (2005), which referred the situation in Darfur to the ICC Prosecutor to investigate war crimes and crimes against humanity.

South Africa welcomes the report of the Prosecutor and continues to call for the ICC to conduct effective and fair prosecutions in accordance with its mandate. At the same time, we continue to underscore the principle of complementarity, which underpins the framework of the Rome Statute, with States bearing the primary responsibility to investigate and prosecute crimes.

South Africa welcomed the agreement signed on 17 August between the Forces for Freedom and Change and the Transitional Military Council in the Sudan on the establishment of a new civilian-led transitional Government and transitional institutions. We furthermore welcome the inauguration of the Prime Minister and the Sovereign Council on 21 August. We underscore that those are important steps to deliver peace and security for the people of the Sudan. South Africa welcomes the vital mediation role undertaken by the African Union and Ethiopia, as well as the support extended by the Intergovernmental Authority on Development, the United Nations, the League of Arab States and others in the international community.

We are deeply concerned about the continuing violence and loss of life in Darfur, as indicated by the Prosecutor in her report. South Africa deplors the fact that violence has been directed at civilians in particular. What is of particular concern is that women and children remain the most vulnerable and affected by sexual violence, which continues to be a weapon of war in Darfur. South Africa calls on the military and security forces to ensure the full protection of civilians and respect for human rights and freedoms in Darfur.

We urge all stakeholders in the Sudan to engage in constructive dialogue in order to restore peace and stability in the country. In that regard, the support of all stakeholders within the international community remains vital, which is also vital for regional stability.

Mr. Lewicki (Poland): As this is the last time we take the floor as a member of the Security Council while the Prosecutor of the International Criminal Court (ICC) is in the Chamber, let me reiterate Poland's continued and unwavering support for her and her Office. Both the Office of Prosecutor and the ICC continue to play a crucial role in fighting impunity and ensuring accountability. In that connection, their work lies at the heart of the Security Council's mandate, because there can be no sustainable peace without justice.

As the Prosecutor said, the new Sudanese authorities have an opportunity to demonstrate their commitment to international law and respect for human rights by complying with their international obligations under resolution 1593 (2005). That is why we encourage the new authorities of the Sudan to fully cooperate with the Office of the Prosecutor and because, as I have just mentioned, it would be extremely difficult to achieve

the long-term peace and well-being of the Sudanese people without providing them with justice.

Poland takes note of the reported investigation and prosecution in the Sudan of some of the suspects in the Darfur situation. We also acknowledge that the Sudan has the primary responsibility to investigate and prosecute those suspects. However, we also note, as did the Prosecutor, that reportedly there is currently no information indicating that any of the ICC suspects are subject to domestic investigation or prosecution in the Sudan for the crimes alleged in the relevant ICC arrest warrants. Therefore, we concur that the Court's warrants for all five suspects in the Darfur situation should remain in force and, that as a court of last resort where the Sudan will not or cannot deliver genuine justice for the victims in Darfur, the ICC must be given the support it needs, including the arrest and surrender of suspects to ensure fair and effective prosecutions, consistent with its mandate.

We note that in recent months there have been a number of positive developments in relation to the Darfur situation. The signing of the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation and the subsequent agreement of the parties on, inter alia, a ceasefire and the opening of humanitarian access to areas of ongoing conflict in the Sudan, including in Darfur, merit recognition. The same goes for the reported meetings of Prime Minister Hamdok with Mr. Abdul Wahid Al-Nour and the Prime Minister's visit to Darfur, including camps for internally displaced persons (IDPs). We greatly appreciate that those steps were taken.

However, the overall security situation in Darfur has remained volatile and, regrettably, clashes have reportedly continued in the Jebel Marra area between Government forces and the Sudan Liberation Army-Abdul Wahid, which has not joined the peace talks process so far. We are seriously concerned by the reported increase of criminality in Darfur, including against women and children, particularly in IDP camps, and violence against those who attempt to return to their area of origin in that region. The still high number of IDPs is also concerning. We reiterate our condemnation of the targeting of the civilian population, especially those most vulnerable, and note the critical mandate of the African Union-United Nations Hybrid Operation in Darfur in Darfur, which includes the protection of civilians and reporting on human rights abuses. We call again on parties to the conflict in Darfur to stop the

hostilities and violence, fully respect international law, including international humanitarian law and human rights law, as well as the relevant Security Council resolutions. As we have reiterated on a number of occasions, respect for international humanitarian law and human rights law is not a matter of choice but one of international legal obligations,

Poland shares the hope that the Sudan's new authorities will pursue peace and justice and open a new chapter of cooperation with the ICC and the Office of the Prosecutor. We reiterate the call on all to provide full support to the Sudan's authorities, the Office of the Prosecutor and all other stakeholders that work on ensuring peace and accountability for the crimes committed in Darfur. The Sudanese people, and in particular Darfur's victims and witnesses, to whom we pay tribute, deserve nothing less than our solidarity, responsibility and commitment.

The President: I shall now make a statement in my capacity as the representative of the United States.

I thank the Prosecutor of the International Criminal Court (ICC) for her briefing. Today's briefing provides an important opportunity to recognize the positive developments in the Sudan over the past months, including efforts to begin to forge a just and comprehensive peace and address long-standing human rights concerns in the Sudan.

When we met with the Prosecutor on this item in June (see S/PV.8554), we were concerned about security force excesses against peaceful protesters and were unsure what path the Sudan's transition would take. We are pleased to gather today, eight months after the ouster of Omar Al-Bashir, for the first briefing since the establishment of a civilian-led transitional Government. We have been encouraged by concrete steps parties in the Sudan have taken to build a more stable, secure and human rights-respecting future. The formation of the civilian-led transitional Government this summer, the signing of the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation in September and ongoing negotiations between the Government and armed opposition forces have increased the prospects for an enduring peace across the Sudan. We have also been pleased to see the appointment of women to key leadership positions, including the first female Chief Justice of the Sudan. Ensuring the inclusion and participation of women in all branches of Government is vital for the Sudan's future.

The ouster of Omar Al-Bashir — a symbol of genocide, crimes against humanity and other atrocities — has both tangible and symbolic implications. It means that he can no longer engineer horrific crimes against his own people, but it also signals to the Sudan's victims that power cannot be secured indefinitely through violence. The United States was honoured to host Prime Minister Hamdok in Washington, D.C., in early December — the first Sudanese Head of State to visit Washington in over three decades. During the visit, the United States announced the decision to elevate our diplomatic representation in Khartoum and pursue an exchange of ambassadors with the Sudan. Secretary Pompeo explained the decision by stating that the Prime Minister's Government had

“demonstrated a commitment to peace negotiations with armed opposition groups, established a commission of inquiry to investigate violence against protesters and committed to holding democratic elections”.

The constitutional declaration makes justice a centrepiece of the transition, committing to accountability for crimes against the Sudanese people since the start of the Al-Bashir regime, developing the justice system and promoting legal reform to ensure equality for all regardless of gender, religion or ethnicity. We have seen positive signals that the Prime Minister and his Government will not overlook Darfur's victims. The Prime Minister's visit on 4 November to Darfur, including to an internally displaced persons camp, sent a powerful signal to both victims and perpetrators of past violence. We urge the Government to make good on its promises and address the root causes of conflict in order to create the conditions that will allow people to return home.

There are few in the Sudan more deserving of facing justice than Omar Al-Bashir. While we are encouraged by his conviction on 14 December, we note that the charges were narrowly focused on corruption and money-laundering. As we have said for over a decade, there will be no lasting peace in the Sudan unless there is genuine accountability for all of the crimes that have been committed against the Sudanese people. To date, no one has been held accountable for the deaths of almost 300,000 people in Darfur, the rampant sexual violence or the looting and burning of homes. Those most responsible for the crimes suffered in the conflicts in Darfur and the two areas should be held accountable for their actions, including by ensuring that they have

no power to hijack the Sudan's future. The United States is deeply committed to supporting Sudanese efforts to ensure justice and encourage open inclusive national dialogues about how transitional justice mechanisms can facilitate truth, justice, reconciliation and healing.

While we support justice for past abuses, we are concerned by reports of ongoing violence. Fighting between security forces and the Sudan Liberation Army-Abdul Wahid in the northern Jebel Marra area has displaced more than 2,000 people and sexual violence remains a grim reality for many. The violence and abuses are symptoms of unresolved challenges facing the Sudan, including weak political and judicial systems that have failed to ensure accountability on all levels, as well as the absence of a durable peace agreement in Darfur. We are committed to supporting the Sudan in those endeavours. The United States has historically been and will continue to be a strong supporter of meaningful accountability and justice for victims of atrocities through appropriate mechanisms. Perpetrators of atrocity crimes must face justice, but we must also be careful to recognize the right tool for each situation.

Finally, I must reiterate our long-standing and principled objection to any assertion of ICC jurisdiction over nationals of States that are not party to the Rome Statute, absent a Security Council referral or the consent of such States. Our concerns regarding the ICC and the situation in Afghanistan are well known. However, our position on the ICC in no way diminishes the United States commitment to supporting accountability for atrocity crimes, violations of international humanitarian law and gross violations of human rights.

I now resume my functions as President of the Security Council.

I give the floor to the representative of the Sudan.

Mr. Siddig (Sudan) (*spoke in Arabic*): Since December 2018, the Sudan has seen significant positive developments that have created a new political reality that will undoubtedly lead to a system rooted in freedom justice and the rule of law. We have launched a serious process to lay the solid foundations of a civilian and democratic Government, led by the people and subject to law and justice. In this new reality, there is no place for impunity. Accountability is its cornerstone, prosecution and legal recourse rulings are protected and enforced, and its boundaries are freedoms that respect human rights. It will be a reality where children are

taken care of and protected, women are empowered and dealt with on equal footing, young people are heard, and old people and people with disabilities are attended to and provided for. There will be full equality based on citizenship as a basis for rights and duties. Under this new reality, priority will be given to persons affected by war and conflict, whether martyred, killed, injured, disappeared, displaced or refugees.

Tomorrow, 19 December, will mark the first anniversary of the Sudanese revolution against injustice, persecution and dictatorship in favour of freedom, justice and a life of dignity. The fire of the revolution continues to burn, demanding peace, freedom and justice rooted in fighting impunity, ensuring accountability and providing justice to victims

The people of Darfur have suffered in the past, especially under the former regime. Under that regime, Darfur saw infighting, destruction, death, strife and conspiracies. People in Darfur were powerless, their rights violated, their resources depleted and their purported will fabricated. They were forced to become emigrants, refugees and internally displaced persons (IDPs). Many of them continue to suffer marginalization and underdevelopment in all forms, including poverty, hunger and disease. That is why the transitional Government has placed Darfur and its people at the top of its priorities during the transitional period. We have undertaken to achieve comprehensive, just and lasting peace by ensuring the voluntary return of IDPs, resolving land disputes and enforcing the goals of the revolution: justice and accountability.

Dialogue towards lasting peace has already started. On 11 September, the Sovereign Council and the coalition of armed groups across the Sudan, including Darfur, signed the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation. The Declaration sets a comprehensive road map to settle the dispute across the Sudan, culminating in lasting peace agreements. Since 10 December, direct negotiations between the two parties have started in Juba to end the war in Darfur and South Kordofan and Blue Nile states. The Juba Declaration has been extended for an additional two months, to 15 February 2020, as a clear sign that the negotiating teams of the Government and the armed groups are serious and honest about reaching a peace agreement that would end the long war and the armed conflict and be followed by meeting the aspirations of the Sudanese people as soon as possible.

His Excellency Prime Minister Abdalla Hamdok started a tour of neighbouring countries seeking peace, beginning with Juba, followed by Egypt and Eritrea. Yesterday, he visited Chad and met with the leaders of the armed resistance to include a larger number of stakeholders from Darfur in the peace process. His Excellency has also held several meetings with most leaders of the armed opposition over the past 14 months, including Abdul Wahid Mohamed Al-Nour in Paris. On 4 November, His Excellency also visited some IDP camps in Darfur, where he listened to the people and promised a new era of lasting peace, justice and dignified living and prosperity.

The Sudanese judiciary completed its proceedings against former President Mr. Omar Al-Bashir, who has been held in Kobar prison since 11 April. Regarding the first charge of corruption against him, the court sentenced Mr. Al-Bashir on December 14 to two years' incarceration at a social rehabilitation centre within the prison where he is being held, following a trial that started in August. The deposed President has been convicted of illegal self-enrichment and foreign exchange dealings. According to a 14 December statement by the Public Prosecutor, this is only the first case against the former President and will be followed by other cases under article 130 of the Sudanese Criminal Code — homicide and other charges related to crimes against humanity and undermining of the constitutional order. The public prosecution is currently interrogating him and the remaining detainees, Mr. Abdel Rahim Mohammed Hussein and Mr. Ahmad Haroun in cases related to the 1989 coup against the civilian Government and other crimes.

There are at least five other cases currently under investigation, most importantly those related to crimes committed against our people in the state of Darfur, which are a top priority for the Government's transitional justice programme. There is no lasting peace without justice. Providing justice to victims is not a mere slogan; it must be followed by concrete and informed measures that would satisfy the victims and those affected. The transitional Government has the responsibility to fight impunity through credible national measures. Failure to combat impunity would embolden those people to commit further violations and encourage others to believe that they will not be punished. We recall that our Government of the revolution has appointed a qualified judge as the first

woman Chief Justice in the Sudan. This is a first, not only in the Sudan, but also in the region.

We are satisfied that the report presented by Ms. Bensouda has recognized the gradual progress and improvements in Darfur. The various reports issued by the Peace and Security Council of the African Union and the Secretary-General of the United Nations have called for a continued drawdown of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), in accordance with the same schedule, and for a transition from peacekeeping to peacebuilding and achieving stability in Darfur. Demonstrating that the Sudanese Government is serious about peace in Darfur, we have asked to for an extension of the UNAMID mandate for an additional year. That will provide more time to arrange the situation on the ground and to give the peace file further attention, while addressing the root causes of the problem in order to provide justice to victims, martyrs, missing persons, internally displaced persons and refugees, including issues related to land.

Following the success of the December revolution, the Sudan is opening a new chapter of cooperation and coordination with the international community on this important matter. My country is making tremendous

efforts to improve the human rights situation in the Sudan, which on 25 September culminated in the signing of an agreement to inaugurate an Office of the United Nations High Commissioner for Human Rights in the capital, as well as field offices in the states of Darfur, Blue Nile and South Kordofan states and eastern Sudan. This is in line with the constitutional declaration that established the transitional Government and with the aspirations of the Sudanese people to a new, modern and democratic national State rooted in human rights.

In closing, we stress that fighting impunity is a noble goal of justice and is not a point of contention. It represents, as we said, one of the most important priorities for the December revolution and one of the elements necessary to achieving peace in the Sudan. It is first and foremost the responsibility of the competent domestic and national legal authorities. The transitional Government is fully convinced of the need to fight impunity and committed to it. We have launched serious efforts to settle this issue once and for all in a manner that will satisfy the Sudanese people, especially the victims of Darfur. We will not allow any person to escape punishment and accountability.

The meeting rose at 4.30 p.m.