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Sudan: Historic referral to ICC tarnished by exemptions

The historic decision of the Security Council to refer the crimes committed in Darfur to the Prosecutor of the International Criminal Court (ICC) is a huge step to bring impartial justice to victims of war crimes and crimes against humanity committed in Darfur, Amnesty International said today.

More than two million civilians who have been killed, raped, tortured and forcibly evicted from their homes have waited for justice for far too long.

However, the provision in the resolution, inserted to secure the acquiescence of the US, seeking to exempt nationals from states outside Sudan that are not party to the Rome Statute from the jurisdiction of the ICC, is totally unacceptable. It creates double standards of justice, contravenes the UN Charter, the Rome Statute and other international law.

The resolution cannot bind the International Criminal Court which will itself decide on the legality of a clause that must be banished from all future Security Council resolutions.

Amnesty International calls on all governments and all parties to the conflict in the Sudan to fully cooperate with the ICC in its important and complex task.

Public Document

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