

## **AMNESTY INTERNATIONAL PRESS RELEASE**

For immediate release: 4 March 2009

Sudan: Amnesty International calls for arrest of President al Bashir

In reaction to today's decision by the International Criminal Court (ICC) to issue an arrest warrant for Sudanese President Omar al Bashir on charges of crimes against humanity and war crimes, Amnesty International said that President al Bashir must surrender himself immediately to face trial.

"The law is clear. President al Bashir must appear before the ICC to defend himself. If he refuses to do so, the Sudanese authorities must ensure that he is arrested and surrendered immediately to the ICC," said Irene Khan, Amnesty International's Secretary General.

Today's arrest warrant for the Sudanese head of state is an unprecedented move in the history of a conflict that has seen more than 300,000 killed, thousands raped, and millions forcibly displaced.

"This announcement is an important signal – both for Darfur and the rest of the world – that suspected human rights violators will face trial, no matter how powerful they are," said Irene Khan.

Sudan's Constitution currently affords its head of state immunity from criminal prosecution while in office. However, no international instrument has ever recognized any immunity for crimes against humanity or war crimes.

Sudanese authorities have a legal obligation to arrest anyone named in an ICC arrest warrant under Security Council Resolution 1593 (2005), which requires Sudan to cooperate with the ICC.

Amnesty International said that should President al Bashir leave Sudan, the government of any country in which he finds himself has an obligation to deny him safe haven by arresting him immediately as a fugitive from justice and surrendering him to the ICC.

“No one is above the law. If you are charged with a crime, you must stand up and face those charges in a court of law. President al Bashir will have the opportunity to do this before the International Criminal Court,” said Irene Khan.

Notes to editors:

In addition to the case against President al Bashir, the International Criminal Court is examining two other cases in relation to the situation in Darfur:

\* In April 2007, the ICC issued international arrest warrants against Sudanese government minister Ahmad Harun and Janjawid militia leader Ali Kushayb, both suspected of war crimes and crimes against humanity. The Sudanese government has so far refused to arrest them or hand them over to the ICC.

\* On 20 November 2008, the ICC Prosecutor applied for arrest warrants to be issued against three commanders of armed opposition groups operating in Darfur. The prosecutor did not disclose their names. The commanders were accused of war crimes arising from an attack on the AU Mission in Sudan (AMIS) in December 2007, in which 12 peacekeepers were killed.