



PRESS STATEMENT

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March 31, 2005
IMMEDIATE RELEASE

U.S. Puts Principles over Politics *Atrocities in Darfur Finally Referred to the International Criminal Court*

Washington, DC – With eleven votes supporting, and four countries including the United States abstaining, the United Nations Security Council referred the situation in Darfur, Sudan to the International Criminal Court (ICC) tonight.

The U.S. decision to allow the Security Council to send the Darfur case to the ICC puts teeth behind the U.S. government's declaration last summer that genocide was taking place in the western Sudanese region. Today's decision is an indication that principles and pragmatic policy have prevailed over politics in the Bush Administration. Citizens for Global Solutions Vice President Heather B. Hamilton said, "Today's referral comes after two months of bickering in the Security Council about the right mechanism for accountability in Darfur. This debate was prompted by the untenable opposition of the U.S. to the ICC. In the future, this kind of lengthy delay must be avoided – it is estimated that more than 20,000 innocent Darfurians died while the Security Council debated whether to use the ICC. The U.S. needs to reassess its policy towards the ICC to ensure sure that human life is given priority over unfounded political objections."

Today's decision is a historical first for international law. This is the first time a case has been referred to the Court through the Security Council. It demonstrates that the ICC is the only legitimate international body able to deal with genocide, war crimes and crimes against humanity when states fail to do so.

Hamilton continued, "Now the U.S. must remain engaged with the Court and share the information it gathered to make the genocide determination last summer. These materials should not sit in a file cabinet in Foggy Bottom; they should be shared with the ICC Prosecutor to help him build a solid case against those orchestrating the massacres in Sudan."¹

The ICC referral comes two days after a Security Council resolution that imposed a limited arms embargo and personal sanctions on certain Sudanese individuals, the first substantive Security Council action on Darfur after nearly two years of conflict. The Security Council has been debating the question of accountability for the atrocities in Darfur two months, since the release of the UN Commission of Inquiry report.

While the referral is an important step toward justice for the victims of atrocities in Darfur, and puts the Sudanese leaders on notice that they will be held individually accountable, an ICC referral alone is not enough to stop the violence. Under the current mandate of the African Union (AU) monitoring force, the approximately 2,000 AU personnel in Darfur are only permitted to monitor cease-fire violations and document human rights abuses, not to stop the violence. "The AU mission desperately needs to be given the political, financial and logistical support it needs to do the job and stop the violence now. The Security Council must take further steps to pressure Sudan to accept more AU troops with a broader mandate to protect innocent civilians," said Hamilton.

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Notes to Editors:

1. Although the American Servicemembers' Protection Act of 2002 prohibits the U.S. government from cooperating with the ICC, this legislation contains broad waivers that permit cooperation. Section 2015 reads: "Nothing in this title shall prohibit the United States from rendering assistance to international efforts to

bring to justice Saddam Hussein, Slobodan Milosovic, Osama bin Laden, other members of Al Queda, leaders of Islamic Jihad, and other foreign nationals accused of genocide, war crimes or crimes against humanity." Section 2011 also grants the President the capacity to cooperate with the ICC or provide national security information to the Court, requiring only a notification of Congress within 15 days.

About Citizens for Global Solutions: Citizens for Global Solutions is a grassroots membership organization that envisions a future in which nations work together to abolish war, protect our rights and freedoms, and solve the problems facing humanity that no nation can solve alone. We promote effective democratic global institutions that will apply the rule of law while respecting the diversity and autonomy of national and local communities.

More information on the International Criminal Court:

http://www.globalsolutions.org/programs/law_justice/law_justice_home.html