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ICC fugitive Al-Bashir's travel curtailed

Wanted for genocide, Sudanese president denied airspace to travel to Indonesia

New York/The Hague—The last-minute cancellation of Sudanese President Omar Al-Bashir's trip to Indonesia this week is a welcome rebuke to fugitives from international justice, the Coalition for the International Criminal Court said today.

The Sudanese president was scheduled to travel to Indonesia for the 2015 Asian-African Summit, but the visit was cancelled when he was reportedly denied permission to fly over several states.

Al-Bashir is accused of war crimes, crimes against humanity and genocide in Darfur. The ICC has issued two warrants for his arrest.

"Al-Bashir's attendance at the Asian-African Summit would have been a black mark on Indonesia's human rights record and an insult to the victims of Darfur," **said Amielle Del Rosario, Asia-Pacific coordinator at the Coalition for the ICC.** "The states that denied him their airspace to travel have taken a strong stand against impunity. More should follow their lead."

Civil society had called on Indonesia to withdraw its invitation to Al-Bashir, noting the country's human rights commitments. While Indonesia is not a member of the ICC, the UN Security Council resolution which referred the situation in Darfur to the Court urges all UN members to fully cooperate with the Court.

"The Indonesian government should take this near-miss as an opportunity to put in place a strong policy on avoiding contact with ICC fugitives and reaffirm its commitment to justice and human rights for all," **Del Rosario added.** "Becoming an ICC member would be a good place to start."

In a statement, the Commission for the Disappeared and Victims of Violence (KontraS) and the Indonesian Coalition for the ICC criticized the Indonesian government for agreeing to host Al-Bashir:

"The visit of President Omar Al-Bashir to Indonesia on the occasion of the Asian-African Conference must be used by Indonesian President Joko Widodo to show his commitment towards International law and mainstreaming human rights in Indonesian diplomacy. Indonesia, as a member of the Human Rights Council, must cooperate with International Criminal Court and respect international law."

In a [letter](#) to Indonesian President Joko Widodo, BashirWatch—a network of several civil society groups, including our Coalition—called on Indonesian authorities to bring Al-Bashir to justice:

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“The Bashir Watch Coalition urges the Government of Indonesia to stand for justice for the people of Sudan and refuse to allow an individual charged with genocide, war crimes, and crimes against humanity into its territory. If Bashir enters Indonesia, this coalition calls on the Indonesian authorities to arrest him and transfer him to the ICC so that he can face the charges against him.”

The Bashir Watch Coalition, KontraS and the Indonesian Coalition for the ICC each also called for Indonesia to join the ICC.

Due to the ICC's lack of enforcement mechanisms, the Court must rely on member states to execute arrest warrants. Unfortunately, a number of countries have failed to do so, including ICC member states Nigeria and the [Democratic Republic of the Congo](#).

Civil society strenuously objected to Al-Bashir's travel to those countries, and in Nigeria filed a motion to compel the government to arrest the Sudanese president, prompting him to abruptly leave the country.

In 2011, public pressure forced the cancellation of a planned visit to Malaysia. At the time, a Malaysian official said Al-Bashir's appearance could prove to be an [“embarrassment”](#) to the country.

Background: The ICC is the world's first permanent international court to have jurisdiction over war crimes, crimes against humanity, and genocide. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unable or unwilling to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes.

There are currently nine active investigations before the ICC: the Central African Republic I & II; DRC; Darfur, Sudan; Kenya; Libya; Uganda; Côte d'Ivoire and Mali. The ICC has publicly issued 31 arrest warrants and nine summonses to appear. Two trials are ongoing. There have been two convictions and one acquittal.

Nine preliminary examinations are currently ongoing. Four examinations are in Phase 2 (subject matter jurisdiction), including Palestine, Honduras, Ukraine, and Iraq. Afghanistan, Colombia, Georgia, Guinea and Nigeria have entered Phase 3 (admissibility). The Office of the Prosecutor has concluded preliminary examinations relating to Venezuela, Palestine, the Republic of Korea and the Comoros referral, declining in each case to open an investigation.

The Coalition for the International Criminal Court is a global network of civil society organizations in over 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide. www.coalitionfortheicc.org