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FOR IMMEDIATE RELEASE

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ICC Issues Arrest Warrant for Sudan Defense Minister

Abdel Raheem Mohamed Hussein Suspected of Crimes Against Humanity and War Crimes Committed in Darfur from August 2003 to March 2004

WHAT: On 1 March 2012, Pre-Trial Chamber (PTC) I of the International Criminal Court (ICC) issued an arrest warrant for Abdel Raheem Muhammad Hussein, Sudan's defense minister. The Court found that there are reasonable grounds to believe that Hussein bears criminal responsibility for 41 counts crimes against humanity and war crimes allegedly committed in Darfur, Sudan from August 2003 to March 2004. This is the fifth arrest warrant issued in relation to the ICC's investigation in Darfur.

WHO: Hussein is Sudan's current defense minister, and former interior minister and the Darfur special representative of the Sudanese president at the time of the alleged crimes, which are the same as those presented in previous warrants of arrest for Ahmed Harun and Ali Kushayb issued by the Court on 27 April 2007. According to the Office of the Prosecutor, Mr. Hussein is among those who bear the greatest criminal responsibility for those crimes. President of Sudan Omar Al-Bashir is also wanted by the ICC for allegedly committing genocide, crimes against humanity and war crimes during the same period.

WHY: On 2 December 2011, ICC Prosecutor Luis Moreno-Ocampo requested PTC I to issue an arrest warrant for Hussein, stating that there are reasonable grounds to believe that Hussein bears criminal responsibility for crimes against humanity and war crimes committed in Darfur from August 2003 to March 2004. On 1 February 2012, the prosecutor submitted additional material in support of his application in response to a request from the Chamber.

In accordance with Article 58 of the Rome Statute—the Court’s founding treaty judges of Pre-Trial Chamber I had to decide whether to issue a warrant of arrest based on the prosecutor’s application and any related evidence or information. The judges determined that there are reasonable grounds to believe that Hussein committed crimes against humanity and war crimes in Darfur.

NEXT STEPS: ICC judges decided that the arrest of Hussein is necessary to ensure his appearance at trial and to ensure that Hussein does not obstruct or endanger the investigation or the court proceedings. Since the ICC does not have its own police force, the execution of the arrest warrant requires cooperation above all from the government of Sudan, as well as governments and international and regional organizations such as the United Nations and the African Union.

COMMENT: “The Coalition hopes that the issuance of a fifth arrest warrant in the Darfur situation will increase the pressure on those responsible for grave crimes to be held to account,” said Sunil Pal, head of the Coalition’s legal section. “However, the arrest warrants issued against others in the Darfur situation—Ahmad Muhammad Harun, Ali Kushayb and Omar Al-Bashir—are still outstanding years after they were issued,” Pal added. “We reiterate our call on all states to work together in ensuring these suspects face justice, on the government of Sudan to cooperate with the Court in accordance with its UN Charter obligations and on all states parties to the ICC to robustly fulfill their obligations under the Rome Statute, which includes facilitating that the arrest of wanted suspects.”

“In this same respect, the UN Security Council must do more to support and assist the Court in bringing to account those responsible for the worst crimes imaginable, particularly in matters where it is responsible for the Court’s involvement such as Darfur and Libya,” Pal said.

BACKGROUND: The investigation into the situation in Darfur, Sudan, was officially opened by the ICC prosecutor on 6 June 2005, after being referred to the Court by the United Nations Security Council through Resolution 1593 on 31 March 2005, which determined “that the situation in Sudan continues to constitute a threat to international peace and security.” Since the referral, public arrest warrants have already been issued in the Darfur investigation against Ahmad Muhammad Harun, Ali Kushayb—for crimes against humanity and war crimes—and Omar Hassan Ahmad Al-Bashir—for genocide, crimes against humanity and war crimes— and summonses to appear have been issued for Abu Garda and for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus for war crimes. None of the outstanding arrest warrants have been executed, and the Sudanese government has openly defied and consistently refused to cooperate with the Court and the international community. On PTC I by way of judicial decision and forwarded to the UN Security Council for their attention.

The ICC is the world's first permanent international court to prosecute war crimes, crimes against humanity, and genocide. 120 states have joined the Rome Statute, the Court's founding treaty. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes. There are currently seven investigations before the Court: the Central African Republic; Cote d'Ivoire; the Democratic Republic of the Congo; Darfur, the Sudan; Uganda; Kenya; and Libya. The ICC has publicly issued 20 arrest warrants and nine summonses to appear. Three trials are ongoing. The ICC prosecutor has also made public that it is conducting eight preliminary examinations on four continents: Afghanistan, Colombia, Georgia, Guinea, Honduras, Republic of Korea, Nigeria and Palestine.

The Coalition for the International Criminal Court is a global network of civil society organizations in 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. For more information, visit: www.coalitionfortheicc.org

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