



Coalition for the International Criminal Court

[www.coalitionfortheicc.org](http://www.coalitionfortheicc.org)

**MEDIA CONTACTS:**

For more information contact:

**In New York:** Brigitte Suhr  
Director of Regional Programs  
Coalition for the ICC  
Tel: +1 646-465-8540  
[suhr@coalitionfortheicc.org](mailto:suhr@coalitionfortheicc.org)

Mr. Stephen Lamony,  
Outreach Liaison for Africa/Situations Advisor  
Coalition for the ICC  
Tel: +1 646 465 8514  
[lamony@coalitionfortheicc.org](mailto:lamony@coalitionfortheicc.org)

**In The Hague:** Mr. Sunil Pal,  
Head of the Legal Section  
Coalition for the ICC  
Tel: +31 70 311 10 87  
[pal@coalitionfortheicc.org](mailto:pal@coalitionfortheicc.org)

**MEDIA ADVISORY**

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**COALITION URGES U.N. SECURITY COUNCIL TO ENFORCE ITS  
REFERRAL ON CRIMES IN DARFUR**

*Civil Society Calls on States to Cooperate with the ICC in advance of ICC  
Prosecutor Report to UNSC*

**WHAT:** On 5 June 2012, International Criminal Court (ICC) Prosecutor Luis Moreno-Ocampo will present his 15<sup>th</sup> report to the United Nations Security Council (UNSC) on his investigation in Darfur, Sudan.

**WHY:** Under UNSC Resolution 1593, adopted under the Council's 'Chapter 7' powers which apply to all UN member states, and which referred the situation in Darfur to the ICC in 2005, the prosecutor is requested to report to the Council every six months on the progress of his investigation.

**COMMENT:** "None of the five ICC arrest warrants issued by the judges at the ICC concerning genocide, war crimes and other crimes against humanity committed in Darfur region of Sudan have been executed; the Sudanese government has openly defied and consistently refused to cooperate with the Court and the international community," said William R. Pace, convenor of the Coalition for the International Criminal Court—a global network of more than 2,500 civil society organizations in 150 countries advocating for a fair, effective and independent ICC and improved access for victims of war crimes, crimes against humanity and genocide. "The Prosecutor and our members state that some of the accused not only continue to commit these crimes in Darfur, but are now doing so in other regions against other

populations of Sudan. The Council's inaction in enforcing Resolution 1593 undermines not only the Council's credibility, but also threatens to undermine the ICC, which has agreed to assist the UN in maintaining international peace and security in this tortured situation."

"The Coalition calls on all ICC member states, the government of Sudan, the UN, the African Union and all others to cooperate with the Court in ensuring that ICC suspects in the Darfur situation are brought to justice," Pace added. "It is extremely troubling that year after year, the institution with primary responsibility for maintaining global peace and security continues to fail to facilitate the arrest of those accused of the worst crimes in international law."

**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 UNSC through Resolution 1593 on 31 March 2005. Since the referral, five public arrest warrants have been issued by judges of ICC Pre-Trial Chamber I (PTC I) for five suspects: (1) two warrants against Ahmad Muhammad Harun and Ali Kushayb for crimes against humanity and war crimes; (2) two warrants against Omar Hassan Ahmad Al-Bashir for genocide, crimes against humanity and war crimes; (3) and one against Sudanese Minister Defence Abdel Raheem Muhammad Hussein for crimes against humanity and war crimes. To date none of the warrants have been executed. Summonses to appear have also been issued for Abu Garda, Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus for war crimes. While ICC PTC I declined to confirm the charges against Abu Garda on 8 February 2010, Judges confirmed the war crimes charges against Banda and Jerbo on 7 March 2011, sending their case to trial. The date for the start of the trial has yet to be set.

The ICC is the world's first permanent international court to prosecute 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 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. The Court issued a judgment in its first trial on 14 March 2012. Two other trials are ongoing. The ICC prosecutor has also made public that he is conducting seven preliminary examinations.

**FOR ADDITIONAL INFORMATION:** Please visit the Coalition's website at: <http://www.coalitionfortheicc.org/?mod=darfur> . List of Coalition experts for media interviews available upon request to: [communications@coalitionfortheicc.org](mailto:communications@coalitionfortheicc.org)

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