



Coalition for the International Criminal Court

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**FOR IMMEDIATE RELEASE**

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## **Chad Must Arrest Sudanese Minister Wanted by ICC**

*Defense Minister Hussein suspected of crimes against humanity and war crimes in Darfur travels to ICC member state Chad today*

**Benin/The Hague**—Chad is legally obliged to execute an International Criminal Court (ICC) arrest warrant for Sudanese Defense Minister Abdel Raheem Muhammad Hussein upon his visit to the country for an intergovernmental meeting today, the Coalition for the ICC said.

Over the next two days Hussein is meeting with officials in the Chadian capital N'Djamena to discuss border issues. As an ICC member state, Chad has agreed to an international obligation to assist the Court in arresting fugitives.

“Following several visits to Chad by fellow ICC suspect Omar Al-Bashir, Hussein’s visit is yet another slap in the face to victims in Darfur,” said Francis Dako, Africa regional coordinator at the Coalition for the ICC. “A government cannot pick and choose which international legal obligations it wishes to abide by—Chadian authorities are obliged to arrest Hussein, or at the very least refuse to host him.”

On 1 March last year, ICC judges issued an arrest warrant for Hussein, on the grounds that there are reasons to believe that he may bear criminal responsibility for crimes against humanity and war crimes, including rape and torture allegedly committed in Darfur, Sudan from August 2003 to March 2004.

Hussein is Sudan's current defense minister and was a special representative for Darfur at the time of the alleged crimes, which are the same as those in ICC arrest warrants for Ahmed Harun and Ali Kushayb issued in 2007. Sudanese President Omar Al-Bashir is

also wanted by the ICC for allegedly committing genocide, crimes against humanity and war crimes during the same period.

The ICC investigation in Darfur began in June 2005 after being referred to the Court by the United Nations (UN) Security Council, which had determined the conflict there a threat to international peace and security. However, the Council has subsequently failed to ensure the cooperation necessary for ICC prosecutions to take place.

“Where is the UN Security Council in all of this?” Dako continued. “Having requested an ICC intervention in Darfur in the first place, the Security Council, along with ICC states parties, must demand that Chad fulfils its obligations. When the Council and other member states fail to take steps to enforce ICC obligations, it undermines the right of victims to redress as much as Chad’s reprehensible actions.”

**BACKGROUND:** None of the four outstanding ICC arrest warrants against suspects in the Darfur investigation have been executed. The Sudanese government has openly defied and consistently refused to cooperate with the Court and the international community. On 26 March 2013 PTC II issued a decision of non-cooperation against Chad following a visit by President Omar Al-Bashir to the country. Similar judicial decisions were made by the Court in December 2011 and August 2010 and all were referred to the UN Security Council and Assembly of States Parties for them to take any action they deemed appropriate.

Summonses to appear have been issued for rebel leaders Abu Garda and for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus for war crimes against African Union peacekeepers in Darfur. The two have been cooperating voluntarily with the ICC and the start of their trial is set for 5 May 2014. However, on 23 April 2013, the defense for Jerbo notified the Court of his death in North Darfur allegedly during an attack by forces of the Justice and Equality Movement. The Court has not yet confirmed his death.

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 eight investigations before the Court: the Central African Republic; Cote d’Ivoire; the Democratic Republic of the Congo; Darfur, the Sudan; Uganda; Kenya; Libya; and Mali. The ICC has publicly issued 22 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 Office of the Prosecutor has also made public that it is conducting seven preliminary examinations on four continents: Afghanistan, Colombia, Georgia, Guinea, Honduras, Republic of Korea and Nigeria. 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. [www.coalitionfortheicc.org](http://www.coalitionfortheicc.org)

Experts from human rights organizations members of the Coalition are available for background information and comment. Contact: [communications@coalitionfortheicc.org](mailto:communications@coalitionfortheicc.org)

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