



Press Release

Sudan/International Criminal Court (ICC)

The Prosecutor of the International Criminal Court requests judges to summon two individuals allegedly responsible for crimes committed in Darfur

**The Government of Sudan must imperatively cooperate with the Court, against impunity for
crimes committed in Darfur**

Paris, Khartoum, The Hague, 27 February 2007 - The ICC Prosecutor Luis Moreno Ocampo has announced today that he has gathered enough evidence to request that the Pre-Trial Chamber I of the ICC delivers two summonses for Ahmad Muhammad Harun, former Minister for the Interior of the Government of Sudan, and Ali Muhammad Ali Abd-Al-Rahman, one of the commanders of the "Janjaweed" militia allied to government's forces, to appear before the Court, in connection with the conflict that has been ravaging the Darfur region since 2003. The ICC Prosecutor has thus established the links between the government in Khartoum and the "Janjaweed" militia, and proved the responsibility of these two individuals in the perpetration of summary executions, rapes, forced displacement of the population and looting.

The International Federation for Human Rights (FIDH) and its affiliated league in Sudan, the Sudanese Organisation against Torture (SOAT), welcome today's major decision in the context of the long-expected resolution of this regional crisis.

"By targeting important suspects, the Prosecutor sends a sign of hope to the millions of victims of the deadly conflict that has been ravaging the Western region of the country since February 2003", said Sidiki Kaba, President of FIDH. "Bringing perpetrators of these atrocious crimes to justice is essential in order to resolve this major crisis", affirms SOAT.

The Sudanese Government must imperatively cooperate with the Court in order to ensure the appearance of these individuals before the ICC. In this regard, FIDH and SOAT have denounced the attitude of the Sudanese Government, which yesterday rejected the ICC investigation in Darfur. "The government has always questioned the legitimacy of the ICC. The creation of the Special Criminal Court on the Events in Darfur, right after the beginning of the ICC investigation, only aimed at distracting the attention of the international community. The Special Court has proved to be inadequate in holding those responsible for crimes against humanity and war crimes accountable and to ensure justice and reparation for the victims", insisted the two organisations.

The ICC must imperatively receive the support of the Sudanese Government to try these two persons allegedly responsible for the crimes, and more broadly from all the States Parties to its Statute in order to effectively conduct actions in Darfur.

Moreover, FIDH and SOAT welcome the public statement of the Prosecutor regarding the fact that he is scrutinizing the situation in Chad and Central African Republic.

FIDH and SOAT recommend that :

- The Government of Sudan fully cooperates with the Court, in order to facilitate the investigation and prosecutions by the ICC, including the transfer of Mr. Ahmad Muhammad Harun and Mr. Ali Abd-Al-Rahman;
- All States Parties to the Court's Statute fully cooperate with it, and in particular support the execution of the summons to appear;
- The Pre-Trial Chamber I rapidly renders a decision on the Prosecutor's request;
- The Office of the Prosecutor carries on its investigations in order to ensure that other high responsible for the atrocities committed in the Western region of Sudan be targeted by investigations and prosecutions.

Background

Following a report by a United Nations Commission of inquiry published in January 2005, revealing that war crimes and crimes against humanity had been committed in Darfur and recommending further action to ensure that those responsible for such atrocities be held accountable, the UN Security Council referred the Darfur situation to the ICC in March of the same year.¹ The ICC Prosecutor opened an investigation in June 2005,² and has been providing the Security Council with regular updates on the course of his Office's fact-finding activities with respect to Darfur.³

According to Article 58.7 of the Rome Statute, the Prosecutor may submit an application requesting that the Pre-Trial Chamber issue a summons for a person to appear before the Court: "If the Pre-Trial Chamber is satisfied that there are reasonable grounds to believe that the person committed the crime alleged and that a summons is sufficient to ensure the person's appearance, it shall issue the summons, with or without conditions restricting liberty, if provided for by national law."

Although Sudan has not ratified the ICC Statute, its obligation to cooperate with the Court stems from Security Council resolution 1593 of 31 March 2005, which referred crimes committed in Darfur to the ICC Prosecutor.

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¹ FIDH-SOAT Press Release "[The Security Council refers the Darfur situation to the International Criminal Court](#)", 4 April 2005

² FIDH-SOAT Press Release "[The ICC Prosecutor of the International Criminal Court endorses the referral of the Security Council and opens an investigation on the crimes committed in Darfur](#)", 6 June 2005

³ See Prosecutor's Reports to the UN Security Council, http://www.icc-cpi.int/cases/Darfur/s0205/s0205_un.html