

Justice for Darfur



For immediate release

Darfur: Security Council Should Support the ICC ***Campaign calls on Security Council Members to Press Sudan to Cooperate***

(New York, The Hague, June 4, 2009) – United Nations Security Council members should convey strong support for the International Criminal Court’s efforts to bring justice to the victims of atrocities in Darfur, Justice for Darfur, a network of African, Arab and international human rights groups, said today. The prosecutor of the International Criminal Court (ICC) is scheduled to present a report on his investigation in Darfur to the Security Council on June 5, 2009.

“The Security Council needs to show resolve to ensure justice for the victims of the terrible crimes in Darfur”, said Dismas Nkunda, Chair of Darfur Consortium. *“Making it clear that justice will be done helps not only the victims in Darfur, but the cause of accountability worldwide.”*

In 2005, the Security Council authorized the prosecutor of the ICC to investigate and prosecute international crimes committed in Darfur since 2002. The Court has issued arrest warrants for three individuals: President Omar al-Bashir; Ahmad Harun, formerly minister for humanitarian affairs and recently appointed governor of South Kordofan, a volatile region in Sudan; and a Janjaweed militia leader, Ali Kushayb. The government of Sudan has neither cooperated with the ICC by surrendering any of the suspects, nor has it made any serious attempts of its own to bring those responsible for crimes in Darfur to justice.

The ICC prosecutor has also requested summonses to appear for three Darfur rebel leaders on allegations of war crimes committed against African Union peacekeepers in the town of Haskanita, North Darfur, in September 2007. One of them, Bahar Idriss Abu Garda, appeared voluntarily before the Court on May 18.

Justice for Darfur calls on UN Security Council members to press the Sudanese government to comply with its obligations under international law to execute the pending warrants for Harun, Kushayb and al-Bashir. The campaign emphasized that justice must be a major pillar of the international community’s efforts to end the crisis in Darfur.

“Justice is essential for both sustainable peace and security in Sudan”, said Osman Hummada, a Sudanese human rights defender. *“Sudan’s own history demonstrates that impunity for serious crimes only encourages the perpetrators to repeat them.”*

Although some African leaders have criticized the ICC arrest warrant for al-Bashir, civil society groups in Africa have recently affirmed strong support for the ICC’s work. Non-governmental organizations attending conferences in Banjul, Cape Town and Kampala adopted statements calling on African Union member states to support victims by ending impunity and cooperating with the ICC to hold suspected perpetrators of crimes under international law accountable.

The Justice for Darfur campaign expressed concerns about the increasing harassment faced by human rights defenders and others in Sudan working on justice issues. In November 2008, Sudanese National Intelligence and Security Services (NISS) agents detained and ill-treated three high-profile human rights defenders who had spoken out in support of international justice. After the warrant against al-Bashir was issued in March, Sudanese authorities closed down the Khartoum Centre for Human Rights and Environmental Development, the Amal Centre for the Treatment and Rehabilitation of Victims of Torture, and the Sudan Social Development Organisation.

The Justice for Darfur campaign also expressed concern over the continued expulsion of aid agencies that had provided nearly half of the humanitarian relief in Darfur, which the Sudanese authorities undertook following the issuance of the arrest warrant for al-Bashir.

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NOTE TO EDITORS

“Justice for Darfur” is a campaign supported by human rights organizations worldwide, calling on the international community to ensure the prompt arrest and surrender of the persons subject to an International Criminal Court arrest warrant. For more information, please visit: www.justice4darfur.org

Signatory organizations:

Action des Chrétiens pour l’Abolition de la Torture (France and België-Vlaanderen), Actions des Chrétiens Activistes des Droits de l’Homme (DRC) , Aegis Trust, Americans Against the Darfur Genocide, Amnesty International, Cairo Institute for Human Rights Studies, Civil Liberties Organisation, Civil Resource Development and Documentation Centre Nigeria, Coalition for the International Criminal Court, Culture pour la paix et la justice , Darfur Consortium, Darfur Rehabilitation Project, Enough Project, Fédération Internationale de l’Action des Chrétiens pour l’Abolition de la Torture, Genocide Alert, Groupe Lufalanga pour la Justice et la Paix, Human Rights Watch, International Crisis Group, International Federation of Leagues of Human Rights, International Refugee Rights Initiative, The League of Human Rights, No Peace Without Justice, Prepared Society – Kenya, Save Darfur Coalition, Society for Threatened Peoples – Socio-Economic Rights & Accountability Project Nigeria, Stiftung Nord-Süd-Brücken, Urgence Darfour, Waging Peace

The following people are available for interviews:

- In Kampala, for International Refugee Rights Initiative, Dismas Nkunda (English): +25-641-434-0274; or +25-675-331-0404 (cell)
- In Cairo, for Cairo Institute for Human Rights Studies (CIHRS), Moataz El fegiery (Arabic, English): +20-227-951-112; or +20-123-429-991 (cell); or moataz@cihrs.org; or melfegiery@hotmail.com
- In New York, for Human Rights Watch, Richard Dicker (English, French): +1-212-216-1248; +1-917-747-6731 (cell); richard.dicker@hrw.org
- In London, for Amnesty International, Christopher Keith Hall (English): +44-(0) 207-413-5733; or chall@amnesty.org
- In The Hague, for International Federation of Leagues of Human Rights (FIDH), Mariana Pena (English, French, Spanish) : +31 6 81 93 97 93 (cell)
- In Lagos, for Socio-Economic Rights & Accountability Project, Adetokunbo Mumuni (English): +23-480-231-391-90
- In London, for Aegis Trust, James Smith (English): +44-792-147-1985
- In New York, for the Coalition for the International Criminal Court, Steve Lamony (English): +1-646-465-8514; or lamony@iccnw.org; and in The Hague, Cecilia Nilsson Kleffner (English): +31-70 311 10 85; or nilsson@iccnw.org

Background

- In May 2009, African civil society organizations adopted statements supportive of the ICC on several occasions:
 - at a meeting in Cape Town on the topic of “the implications of the African Union’s recent decisions on universal jurisdiction and the work of the International Criminal Court in Africa”, a call was issued on African States Parties and signatories to the Rome Statute to “reaffirm [their] commitment to end impunity for serious international crimes and uphold the values of accountability, protection of human rights and the rule of law, as espoused in the AU’s Constitutive Act, relevant African and international human rights instruments, and relevant obligations under your national legal and constitutional frameworks.”(http://www.iss.co.za/dynamic/administration/file_manager/file_links/PRAUICC110509.PDF?link_id=5&slink_id=7730&link_type=12&slink_type=13&tmpl_id=3)

- African NGOs attending the 45th ordinary session of the African Commission on Human and Peoples' Rights adopted a resolution on "Strengthening International Justice in Africa", calling on African Union member states "to support victims by promoting judicial and other efforts to end impunity as well as promoting accountability for serious crimes under international law including through strengthening support and collaboration with the ICC" (http://iccnow.org/documents/45th_Session_of_NGO_Forum_Resolution_on_ICC.pdf)
- Participants of the Coalition for the International Criminal Court (CICC) Africa Strategy Meeting in Kampala urged African States Parties to "Fully support the work of the International Criminal Court, which represents the last resort for the thousands of victims of grave human rights violations who cannot obtain justice at the national level" and to "Fully cooperate with and assist the International Criminal Court in its investigative and prosecutorial mandate" (http://www.iccnw.org/documents/Statement_Africa_StrategyFVV.pdf)
- In June 2008, the UN Security Council renewed its call to "the Government of Sudan and all other parties to the conflict in Darfur to cooperate fully with the Court, consistent with resolution 1593 (2005), in order to put an end to impunity for the crimes committed in Darfur".
- In March 2005, the Security Council adopted resolution 1593 referring the situation in Darfur since 1 July 2002 to the ICC prosecutor and decided "that the Government of Sudan and all other parties to the conflict in Darfur, shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor". Although Sudan has not ratified the Rome Statute which created the ICC, it is obligated under Chapter VII of the UN Charter to implement the Security Council resolution.