

## Press release

### Sudan/ICC/UNSC

#### **Report of the Prosecutor of the International Criminal Court to the United Nations Security Council (UNSC)**

#### **The Security Council should condemn the continued commission of crimes in Darfur and order sanctions against individuals responsible for them**

11 June 2010 - The International Federation for Human Rights (FIDH) welcome the report submitted today to the UN Security Council by the Prosecutor of the International Criminal Court (ICC), Luis Moreno Ocampo. The organisation demands that the Security Council act upon the conclusions of the report by ordering targeted sanctions against individuals allegedly responsible for serious violations of human rights and international humanitarian law, and by condemning the continued commission of crimes in Darfur.

The report recalls that, although the government of Sudan is under the obligation to cooperate with the Court, it has repeatedly and systematically failed to do so. The Security Council had ordered such cooperation in Resolution 1593 and had recalled this obligation in Presidential Statement 21. The Government of Sudan continues to disregard the Security Council's decisions.

« This is not merely about non-compliance with important decisions of the Security Council. In practice, this is about the millions of victims who continue to suffer from the crimes committed in Darfur, as well as from denial of justice, as long as the persons sought by the ICC are not brought to justice », said Ms. Souhayr Belhassen, President of FIDH.

The report notes that the ICC Pre-Trial Chamber I has recently concluded that the Government of Sudan has not cooperated with the ICC, despite being in a position to do so. All attempts have been made by the Court to secure such cooperation. For this reason, the ICC judges decided to inform the Security Council about the lack of cooperation, in particular the non-execution of arrest warrants for Mr. Ahmad Harun and Mr. Ali Kushayb, both of whom have allegedly committed crimes against humanity and war crimes and have been sought by the Court since 2007.

FIDH fully supports the Prosecutor's request that the Security Council order economic sanctions against the indictees.

Further, FIDH notes with dismay the report's findings on the continued commission of crimes in Darfur. The report denounces the continued attacks against civilians, the deprivation of humanitarian aid and the recruitment of child soldiers. "We are particularly worried about the overwhelming commission of sexual crimes and the absolute impunity afforded to those responsible for gender-based violence", noted Ms. Belhassen. It is noted that victims, including victims of sexual crimes, generally refrain from reporting serious violations, for fear of reprisals.

FIDH also supports the Prosecutor's call for the Security Council to take the dramatic situation of gender violence victims into consideration when celebrating, in October 2010,

the 10th anniversary of Resolution 1325 on women, peace and security and, in particular “the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes including those relating to sexual violence against women and girls”.

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## Background

The ICC has been involved in the situation in Darfur, Sudan since the Security Council referred the situation to it in March 2005, through Resolution 1593. In April 2007, the ICC issued arrest warrants for Ahmad Harun, the former State Minister for Humanitarian Affairs and current governor of South Kordofan, and Ali Kushayb, an alleged Janjaweed militia leader.

Sudan has repeatedly and adamantly refused to cooperate with the ICC, despite its obligation to do so under Resolution 1593. Following the Prosecutor’s report to the Security Council in June 2008, the Council issued Presidential Statement 21 recalling “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 ICC and the Prosecutor.”

On 4 March 2009, the ICC issued an arrest warrant for President Omar Al-Bashir. The Government of Sudan has also refused to cooperate with the Court on this arrest warrant. To date, the Government of Sudan has not only failed to arrest the indictees, but it has also implemented concrete actions seeking to protect them.

For more information, see the FIDH website: <http://www.fidh.org/-Sudan->