

Press release

The Hague, 18 May 2009

First appearance before the International Criminal Court of a Sudanese accused of war crimes in Darfur

Today, Bahar Idriss Abu Garda, a rebel commander in Darfur, alleged to have attacked and killed 12 African Union Peacekeepers, injured many others and looted the AU base of Haskanita in September 2007 will appear before the Pre Trial Chamber I of the International Criminal Court (ICC) at 3pm.

Bahar Idriss Abu Garda will appear on a voluntary basis, as he voluntarily travelled to the Netherlands, arriving yesterday afternoon in a commercial aircraft. Following a meeting with his legal counsel, he was conducted to a location assigned by the Court for his stay in The Hague. FIDH welcomes the first appearance for crimes allegedly committed in Darfur. The rebel commander is the first accused to appear voluntarily before the ICC and the first to respond for crimes perpetrated in Darfur.

The Prosecutor insisted that this appearance would not have been possible *“without the cooperation of African and European States, in particular The Netherlands, the Host State of the ICC, Chad, Senegal, Nigeria, Mali and the Gambia”*.

“The important cooperation of several African States clearly illustrates the commitment of African States to the ICC and to justice. It contradicts the recent accusations of a Court against Africa”, added Souhayr Belhassen.

FIDH urges all States to cooperate with the ICC and in particular to enforce the three pending arrest warrants against President Al Bashir, Ahmad Harun, Minister of humanitarian affairs recently appointed Governor of South Kordofan, and Ali Kushayb, janjaweed commander, in order to implement their international obligations and ensure victims' right to truth and justice.

Background

On 20 November 2008, the ICC Prosecutor submitted a sealed case against three unidentified rebel commanders believed to be behind the raid on the Haskanita military base at which twelve African Union peacekeepers were killed, and an additional eight injured. The names of the two other rebel commanders remain undisclosed¹.

This is the third case the Prosecutor is investigating in Darfur, since June 2005, a situation referred to him by Resolution 1593 adopted on 31 March 2005 by the United Nations Security Council.

¹ See also FIDH Press release of 21 November 2008, “First step to hold the perpetrators of attacks against peacekeeping forces accountable”, <http://www.fidh.org/First-step-to-hold-the>.

FIDH is a federation of 155 non-governmental human rights organizations operating in more than 100 countries. FIDH has a consultative status before the United Nations, UNESCO, and the Council of Europe, and observer status before the African Commission on Human and Peoples' Rights.

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