



Press Release

Sudan/ICC

The Security Council must break the silence!

London, Paris, The Hague, New York, Khartoum – 5 June 2008 - The International Federation for Human Rights (FIDH) and its member organisation the Sudan Organisation Against Torture (SOAT) call for an immediate firm response by the Security Council to the International Criminal Court's (ICC) report denouncing the failure of the Sudanese government to cooperate with the Court and the consequent breach of its obligations under Security Council Resolution 1593.

In a report presented today, ICC Prosecutor Luis Moreno Ocampo denounced for the second time the lack of cooperation and consistent obstruction by the Sudanese government. The Prosecutor noted that although two arrest warrants were issued in April 2007, the two suspects – Ahmad Harun, former Minister for the Interior and current State Minister for Humanitarian Affairs, and Ali Kushayb, an alleged Janjaweed militia leader – are still at large. According to the report, the Government of Sudan is not only failing to arrest the suspects, but is also protecting them.

“The GoS [Government of Sudan] has not responded. The GoS is not cooperating with the Court. The GoS has not complied with UNSCR 1593. The GoS has taken no steps to arrest and surrender the suspects and stop the crimes. They [Ahmad Harun and Ali Kushayb] are fugitives from the ICC. [...] Council members must ensure respect for UNSCR 1593 and secure the full and immediate cooperation of the GoS,” said Luis Moreno Ocampo.

The Prosecutor reminded UNSC members that civilians in Darfur continue to be targeted and that the prevailing impunity plays a crucial role in the continuation of the crimes being committed in Darfur. “Impunity is fuelling violence” he said.

FIDH and SOAT consider that the Security Council's lack of concrete action over the past six months - since the Prosecutor first denounced Sudan's lack of cooperation - is difficult to understand and justify. UNSC Resolution 1593 requesting the referral of the case to the ICC imposes a clear obligation on the Government of Sudan to cooperate with the Court.

“The Prosecutor is now telling the Council that Sudan is completely disregarding its resolution. It is defying the international community; it is putting the Council's authority into question. Millions of victims have turned to the UN and the international community for peace and justice. They must not be disappointed; their call must not go unheard. The Security Council must break the silence!” said Souhayr Belhassen, President of FIDH.

FIDH and SOAT welcome the statements of some members of the Security Council - currently undertaking a visit to Sudan - condemning the lack of cooperation of the Sudanese government with the Court.

But these declarations are not enough. FIDH and SOAT urge the Security Council to issue a firm written response recalling the Sudanese government to its international obligations.

FIDH and SOAT are part of the campaign “Justice for Darfur”. For more information on the campaign see: www.justice4darfur.com

More information on FIDH-SOAT actions on Darfur is also available on the FIDH website: <http://www.fidh.org/spip.php?rubrique211>

Background

A deadly conflict pitting Sudan's Khartoum-based government against rebel movements seeking power-sharing has ravaged Darfur for the last five years. In March 2005, the United Nations Security Council referred the situation to the ICC by Resolution 1593, which poses an obligation on the government of Sudan to cooperate with the Court. In April 2007, the ICC issued arrest warrants for Ahmed Harun, former Minister

for the Interior and current State Minister for Humanitarian Affairs, and Ali Kushayb, an alleged Janjaweed militia leader. To date, these two persons remain at large. Not only has Harun not been arrested but he has also been maintained in his position as a State Minister, has reportedly been appointed to a committee responsible for investigating human rights violations in Sudan and has more recently become a liaison with the United Nations – African Union peacekeeping force in Darfur (UNAMID). Ali Kushayb, who had been in custody on other charges at the time the arrest warrants were issued, has since been released.

Sudan has repeatedly and adamantly refused to cooperate with the ICC. The ICC Prosecutor first denounced Sudan's lack of cooperation in his report to the Security Council in December 2007. Despite positive statements by several members of the Security Council, the Council was unable to adopt a declaration or resolution formally condemning Sudan's obstruction and calling on Khartoum to comply with its obligation under Resolution 1593.

Under Resolution 1593, the ICC Prosecutor is invited to brief the Security Council on its investigations in Darfur every six months. Today's is the seventh report that Luis Moreno Ocampo has submitted to the Council. The next report will be due in December 2008.