

Africa | 14.07.2008

# European Leaders Urge Sudan to Respect ICC Decision



**Europe's leaders have called on Sudan to respect the International Criminal Court's decision to issue an arrest warrant for Sudanese President Omar Hassan Ahmad al-Bashir on genocide and war crimes charges.**

*The International Criminal Court issued an arrest warrant for Sudan's President Al-Bashir*

EU Development Commissioner Louis Michel called Monday, July 14, for an "end to the impunity" in Darfur, after an international prosecutor requested an arrest warrant for Sudan's President Omar al-Bashir. Sudan's foreign ministry says it does not recognise the ICC or its decisions.

"It is important to bring an end to the impunity surrounding the crimes" committed in Sudan's Darfur region, he told reporters, noting Khartoum's "flagrant" lack of cooperation with the International Criminal Court (ICC).

His remarks came after ICC prosecutor Luis Moreno-Ocampo formally requested an arrest warrant for al-Bashir for genocide, crimes against humanity and war crimes in Sudan's conflict-torn Darfur region.

The ICC will take at least several weeks to study the new evidence before deciding whether any warrants should be issued.

If the judges agree to the request, it will mark the first time the ICC has brought charges against a sitting head of state, although such leaders as Slobodan Milosevic of Serbia and Charles Taylor of Liberia were charged by other UN-established war crimes tribunals while still in office.

"The prosecutor has concluded there are reasonable grounds to believe that Omar Hassan Ahmad al-Bashir bears criminal responsibility in relation to 10 counts of genocide, crimes against humanity and war crimes," Moreno-Ocampo's statement said.

"...Al-Bashir masterminded and implemented a plan to destroy in substantial part the Fur, Masalit and Zaghawa groups, on account of their ethnicity. His motives were largely political. His alibi was a 'counterinsurgency.' His intent was genocide," the prosecutor said.

Moreno-Ocampo also said al-Bashir "obstructs international



*Moreno-Ocampo submitted evidence of the alleged crimes*

assistance" and accused him of responsibility for killing and torturing the civilian population of Darfur.

He further stated that he had evidence that al-Bashir "mobilized the entire state apparatus to subject the 2,450,000 people living in camps to conditions of life calculated to bring about their physical destruction."

The EU's Michel said the move to issue an arrest warrant was "obviously a major development, which will clearly have a political

impact."

### **France calls for Sudan to respect international law**

Separately, the European Union's French presidency said that the bloc "has taken note of the statements made by the prosecutor of the ICC concerning the crimes committed in Darfur."

"It is now up to the judges of the pre-trial chamber of the ICC to determine what action they intend to take in response to the request issued by the prosecutor," a statement said. "The European Union recalls that the ICC plays a fundamental role in the promotion of international justice."



*Kouchner says the ICC decision must be respected*

French Foreign Minister Bernard Kouchner added that the Sudanese president must respect the decision. "It is a decision of the International Criminal Court and President Bashir must respect it," Kouchner told reporters. "He must take the court recommendations into account, period."

Last month, EU foreign ministers warned that the bloc "stands ready to consider measures against individuals for not cooperating with the ICC" if they flouted the UN Security Council resolution that obliges them to do so.

It came after Moreno-Ocampo called on the UN Security Council to demand that Sudan arrest two Darfur war crimes suspects -- Ahmed Haroun and Ali Kosheib.

British Prime Minister Gordon Brown urged Sudan to cooperate with the International Criminal Court.

Speaking at his monthly press conference at his Downing Street office moments before the formal announcement, Brown stressed that the ICC had British support.

Brown said it was too early to comment specifically but added: "We call on the government of Sudan to cooperate with the International Criminal Court.

"The International Criminal Court has our support for its activities," Brown said. "We have raised with the Sudanese government the need to cooperate with the International Criminal Court. The foreign secretary raised this with the Sudanese president on July 9."

### **Human rights groups welcome decision**

Human Rights Watch's International Justice Program director



Hundreds of thousands are thought to have been killed

Richard Dicker welcomed the ICC move. "Charging President al-Bashir for the hideous crimes in Darfur shows that no one is above the law. It is the prosecutor's job to follow the evidence wherever it leads, regardless of official position," he said in a statement.

"The prosecutor's filing confirms that the highest authority of the government has been personally involved in planning the mass campaign of violence against the population of Darfur," said Souhayr Belhassen, president of the International Human Rights Federation (FIDH). "We believe that disclosing this evidence and

indicting Beshir could contribute to stability in the region."

Ilana Soskin of the Darfur Emergency Collective said she was confident the judges would decide to act against Beshir, saying he was responsible for "ethnic cleansing" in Darfur.

The International Crisis Group, however, was more cautious. "The problem for international policymakers is that the prosecutor's legal strategy also poses major risks for the fragile peace and security environment in Sudan, with a real chance of greatly increasing the suffering of very large numbers of its people," it said in a statement.

### UN calls for cooperation and protection for troops



UN troops have been targeted by militia

Following the ICC announcement, the United Nations Secretary General Ban Ki-moon said that the UN respected the decision and called on the Sudanese government to cooperate with the joint UN-African Union peacekeeping operation in Sudan's Darfur region, which has been the target of attacks by armed militiamen allegedly with Khartoum's backing.

"The secretary general emphasizes that the ICC is an independent institution and that the United Nations must respect the independence of the judicial process," a UN spokesperson said.

"The United Nations peacekeeping operations in Sudan will continue to conduct their important work in an impartial manner, cooperating in good faith with all partners so as to further the goal of peace and stability in the country," the spokesperson said. "The United Nations will also continue its vital humanitarian and development work there."

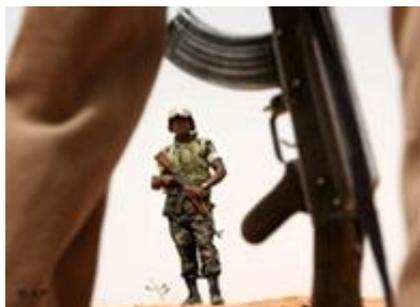
### Sudan promises UN, AU soldiers are safe

There are fears the arrest warrant could lead to attacks on UN peacekeepers in Darfur or the expulsion of Western diplomats, but Information Minister Al-Zahawi Malek said Sudan would guarantee the safety of foreigners.

"As for those who are here in the different diplomatic organizations, we don't think they are going to be under any pressure from the Sudanese citizens. Everything will be secure," *The Sudan Tribune* quoted him as saying Sunday.

But the joint African Union-United Nations peacekeeping mission in Darfur, UNAMID, has raised its security alert level to four, meaning that all non-essential personnel are being relocated.

UNAMID -- which has less than 10,000 of the planned 26,000 military personnel in place -- is already struggling to fulfill its peacekeeping role.



Troops are on alert for increased attacks by militia

Seven peacekeepers died last week following an attack believed to have been carried out by government-backed Janjaweed militia and there are concerns within UN circles that the militia could step up raids and that rebel groups could also be emboldened by the charges.

"People are a little tense and there has been a lot of catastrophic thinking," a source within the UN in Darfur told *DPA news agency*. "Over the coming days, it is possible the rebel forces, which have been gathering faster than expected, might do something."

However, a few hours after the charges were announced, there appeared to have been little reaction in Darfur.

"Things have been calm. The locals do not seem concerned," the source said, adding that a lot of background diplomacy had been taking place to allow relief and peacekeeping missions to carry on as normal.

Much of the reaction is expected to come in Khartoum, where on several thousand people rallied Sunday in support of al-Bashir.

### **African Union calls for suspension of warrant**



The AU wants the ICC to suspend its warrant for al-Bashir

However, the chair of the African Union called for the decision to be suspended. "We would like the ICC to suspend its decision to seek al-Bashir's arrest for a moment until we sort out the primary problems in Darfur and southern Sudan," Foreign Affairs Minister Bernard Membe told *Reuters*, speaking on behalf of Tanzanian President Jakaya Kikwete who chairs the AU. "We are asking ICC to re-examine its decision."

Membe added that it was "not the right time" to seek Bashir's arrest. "If you arrest al-Bashir, you will create a leadership vacuum in Sudan. The outcome could be equal to that of Iraq. There would be an increase in anarchy; there would be an increase in civil war. Fighting between Chad and Sudan would increase," he said.

DW staff (nda)