

MEDIA ADVISORY

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ACCESS TO JUSTICE INITIATES LEGAL ACTION TO COMPEL ARREST OF SUDANESE PRESIDENT H.E. OMAR AL BASHIR UPON HIS VISIT TO NIGERIA

On Thursday, 29th October 2009, Access to Justice commenced legal action urging the Federal High Court to issue an Order directed to the government of Nigeria compelling the arrest and surrender of Sudanese President, Omar Al Bashir, to the International Criminal Court (ICC) should he step foot on Nigeria. It may be recalled that an international warrant of arrest was issued on March 4 2009 against President Al Bashir by the ICC to secure his presence to answer charges of war crimes and crimes against humanity. The suit is founded on the invitation extended to President Al Bashir by the Nigerian government to come to Nigeria for purposes of attending the Peace and Security Council of the AU, beginning 29th October 2009.

The lawsuit urges the High Court to declare that Nigeria is obligated, nationally and internationally, by virtue of existing laws in force and treaties and rules binding on Nigeria, to arrest and handover the Sudanese President to the ICC if he enters any part of Nigerian territory, and to compel the government to discharge that obligation if President Omar al Bashir arrives Nigeria.

Prior to determining the substantive suit, Access to Justice is also seeking *ex parte*, interim reliefs compelling the arrest and detention of the Sudanese President pending the hearing and effectual determination of the interlocutory application for the arrest of the Sudanese President. The suit names the President of the Federal Republic of Nigeria, Musa Yar 'Adua, the Attorney General and Minister of Justice, the Minister of Foreign Affairs and the Inspector General of Police as Respondents. No date, as at this time, has been fixed for the hearing of the suit.

By filing this suit, Access to Justice underscores its commitment to the rule of law, nationally and internationally, as well as the importance of ending impunity globally. Impunity has led to systematic and gross abuses of human rights in Nigeria and continues to undermine the significance and value of Nigeria's constitutional democracy. It further reinforces our commitment towards ensuring justice and good governance in the African region.

Kindly permit me to introduce Access To Justice to you. Access To Justice is a registered justice advocacy group working to defend rights of equal and non-discriminatory access to courts of law, expand access of marginalized people to equal and impartial justice, attack corruption in justice administration, support legal struggles for human dignity and disseminate legal resources that help achieve these purposes.

Please find attached to this press release the relevant court processes above.

(P.S. This suit was prepared before reports indicating that Al Bashir will not be visiting could be confirmed)

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