



Coalition for the International Criminal Court
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MEDIA ADVISORY
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ICC PROSECUTOR ASKS JUDGES TO OPEN THIRD CASE IN DARFUR
Moreno-Ocampo seeks to prosecute rebel attacks against African Union peacekeepers

WHAT: On 20 November 2008, Luis Moreno-Ocampo, prosecutor of the International Criminal Court (ICC) asked Judges of Pre-Trial Chamber I to issue arrest warrants for war crimes allegedly committed against the African-Union peacekeeping forces in its Haskanita base (Darfur) on 29 September 2007. In a public summary of the application, the prosecutor did not reveal the names of the individuals against whom the arrest warrants were sought, but stated that these individuals were rebel commanders of the thousand soldiers carrying out these attacks. The prosecutor lists 3 counts of war crimes, including the murder of 12 peacekeepers, the severe injury caused to 8 others, and the pillaging of and intentionally direct attacks against peacekeeping personnel. The Prosecutor also underlines the grave impact of crimes against those who are mandated to protect civilians because such actions jeopardize the ability to carry out and sustain such crucial operations.

NEXT STEPS: In accordance with Article 58 of the Rome Statute, it is now up to the Pre-Trial Chamber I to decide whether to issue a warrant of arrest based on the prosecutor's application and any related evidence or information. It is up to the judges to determine whether there are reasonable grounds to believe that the person has committed the crime and whether the arrest of the person is necessary to ensure his appearance at trial. The judges may also decide if an arrest warrant is necessary to ensure that this person does not obstruct or endanger the investigation or the court proceedings, or where applicable, to prevent this person from continuing with the commission of the listed or any related crimes. In the application, the prosecutor expresses that all concerned rebel commanders have the opportunity to appear voluntarily before the Court and states that the Court could issue a summons to appear if the voluntary surrender of these individuals seems likely.

WHY: On 31 March 2005, the United Nations Security Council referred the situation in Darfur, Sudan to the ICC prosecutor through Resolution 1593, "determining that the situation in Sudan continues to constitute a threat to international peace and security." On 6 June 2005, the ICC prosecutor officially opened his investigation into the situation of Darfur, which was assigned to Pre-Trial Chamber I. Today's request is the third made in the Darfur investigation. On 27 February 2007, the prosecutor requested summons to appear against Ahmad Muhammad Harun and Ali Kushayb war crimes and crimes against humanity. On 2 May 2007, arrest warrants were issued for the two suspects. On 14 July 2008, the prosecutor requested arrest warrants for Sudanese President Omar Hassan Ahmad Al Bashir.

Since the referral and the request for the issuance of the warrants, the Sudanese government has consistently refused to cooperate with the Court and openly defied the Court and the International community.

FOR ADDITIONAL INFORMATION: Please visit the Coalition’s website at <http://www.iccnw.org/?mod=darfur>.

COMMENT AND BACKGROUND:

“Attacks on international peacekeepers constitute a grave threat to the international community’s ability to protect civilian populations and to maintain international peace and security,” said Convenor of the Coalition for the ICC William R. Pace. “While the judges reflect on this application, the Coalition calls on all the international community to support the Court’s work in addressing the situation in Darfur and on the Court to increase its outreach and public information efforts by the Court to affected Sudanese communities and other stakeholders.”

The ICC has issued twelve arrest warrants for investigations in four of the most brutal conflicts of our time: Darfur, Sudan; Uganda; the Democratic Republic of Congo; and the Central African Republic. To date, four suspects have been arrested. In a very short time, the ICC has made monumental advances toward ensuring that perpetrators of the gravest crimes are held accountable.

Experts from international and Sudanese human rights organizations are listed on the following page for comment and background.

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***Important notice:** The Coalition for the International Criminal Court (CICC), an independent NGO movement, is dedicated to the establishment of the International Criminal Court as a fair, effective, and independent international organization. The Coalition as a whole, and its secretariat, does not endorse or promote specific investigations or prosecutions or take a position on situations before the ICC. However, individual CICC members may endorse referrals, provide legal and other support on investigations, or develop partnerships with local and other organizations in the course of their efforts.*

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