



Coalition for the International Criminal Court
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ICC Prosecutor Urges UN Security Council Action on Darfur
Pushes International Community to Help Ensure Arrest and Surrender of Suspects

New York, NY: On 7 June 2007, the Prosecutor of the International Criminal Court Mr. Luis Moreno-Ocampo addressed the United Nations Security Council on the Court's investigation in Darfur just one week prior to the Council's mission to Khartoum. The situation in Darfur was referred to the Court by the Council through Resolution 1593, which obligates the prosecutor to report to the Council every six months. This is the fifth report of the prosecutor to the UN Security Council.

In today's report, the prosecutor stressed three key points: the urgent need for regional and international cooperation in securing the arrest and surrender of the named suspects; the admissibility of the prosecutor's case despite Sudanese investigations of grave crimes; and the continuing crisis in the region that requires prompt action.

The prosecutor urged the Security Council to address concerns relating to the Court's investigation in Sudan during its mission to Khartoum next week. The Court does not have its own police force, and requires the cooperation of governments to ensure the arrest and surrender of named suspects.

In a statement to the media, Ambassador Johan C. Verbeke from Belgium, which is the current President of the Council, spoke in his national capacity: "The fight against impunity is part and parcel of the search for peace and stability in Sudan." Ambassador Zalmay Khalilzad, permanent representative of the United States to the UN, also made a statement to the media in which he said, "We call upon the Sudanese government to cooperate with the prosecutor."

Here are key highlights from the ICC prosecutor's report:

On Cooperation

"...In accordance with the Court's decision, the Registry is transmitting requests for cooperation to execute the warrants. The objective is now to ensure the appearance of these individuals in Court. This major challenge requires the unconditional cooperation of all. The Security Council and regional organizations must take the lead in calling on the Sudan as the territorial State to arrest the two individuals and ensure their appearance in Court...as soon as practicable, the [ICC] Registrar shall transmit two requests for cooperation seeking the arrest and surrender of Ahmed Harun and Ali Kushayb to the competent Sudanese authorities; to all Sudanese authorities; to all States Parties to the Statute; to all United Nations Security Council members that are not States Parties to the Statute; and to Egypt, Eritrea, Ethiopia, and Libya....A concerted, collective, coordinated effort on the part of the Government of the Sudan and the regional and

international community remains essential to stop the commission of further crimes and reverse the prevailing sense of impunity in Darfur...”

On Admissibility

“...The Prosecution’s case is concerned with Ahmad Harun and Ali Kushayb joining together as part of a systematic and organized initiative to attack civilian populations in Darfur. There is no investigation into such criminal conduct. The Sudanese investigations do not encompass the same persons and the same conduct which are the subject of the case before the Court. To the extent that the investigations do involve one of the individuals named in the application, they do not relate to the same conduct which is the subject of the case before the Court. National proceedings are not in respect of the same incidents and address a significantly narrower range of conduct. The Prosecution considers therefore that the case is admissible...”

On the Current Security Situation in the Region

“...the Office [of the Prosecutor] is continuing to gather information about current crimes committed by all the parties to the conflict in Darfur and is monitoring the spill-over of violence in Chad, including in refugee camps, and in the Central African Republic, which are both States Parties to the Rome Statute. In Darfur, the Office notes with concern allegations of indiscriminate and disproportionate air strikes by the Government of the Sudan...Allegations of crimes committed by rebel forces, including against international personnel, are also being reported and analysed...numerous aid workers have been assaulted and beaten, their vehicles hijacked, their compounds looted, and some subjected to sexual violence and to mock executions. Attacks on humanitarian personnel are prohibited under international humanitarian law and constitute a war crime within the jurisdiction of the ICC. It appears that the parties to the conflict continue to violate international humanitarian law. The Office reiterates that those bearing the greatest responsibility for such crimes must be brought to justice...”

COMMENT AND BACKGROUND: Experts from international and Sudanese human rights organizations are listed below for comment and background.

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

List of NGO Experts on Darfur:

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