



For Immediate Release

Geneva, 14th July 2008

ICC Prosecutor Charges Marshal El Bashier with Genocide

Today, the Prosecutor of the International Criminal Court (ICC) Mr. Luis Moreno Ocampo presented evidence to the ICC's Judges against Marshal Omar Hassan Ahmad Al-Bashir, President of Sudan on charges of genocide, crimes against humanity and war crimes committed in Darfur since 2003. Mr. Ocampo briefed members of the ICC Pre-Trial Chamber on details of the genocide in Darfur, requested them to evaluate the evidence and issue warrant for Marshal Al-Bashir's arrest.

The undersigned organisations fully support Mr. Ocampo's timely decision. Our recent contacts with a cross section of the conflict victims including internally displaced persons and refugees showed that all of them, without exception, support Mr. Ocampo's work. The decision comes at a time of growing violence and insecurity which caused more destruction of lives and livelihoods, forced displacement as well as shrinking humanitarian assistance to the needy civilians in Darfur. It has come at a time of total inability of the African Union/United Nations (AU/UN) military personnel to protect victims of the armed conflict in Darfur from the ongoing genocidal acts. Marshal El Bashier and his government continue to put up a range of obstructions to make it impossible for the AU/UN military force to deploy in Darfur and protect civilians in need. They have also introduced aggressive administrative measures and created hostile environment to allow humanitarian organizations and aid workers to operate effectively in Darfur. Mr. Ocampo's decision comes at a crucial time when victims of the conflict in Darfur are losing confidence in the international community and its resolve to do justice to them.

We wish to remind that the decision to refer the situation in Darfur to the ICC was done by a means of UN Security Council resolution 1593 (2005) of 31st March 2005. This resolution was adopted under Chapter VII of the UN Charter and is mandatory in nature. As such the ICC action on Darfur is a mechanism for implementation of the provisions of UN Security Council resolution 1593 (2005). We wish to remind all UN member states, whether they are State Parties to the Rome Statute of the ICC or not, to fully support the ICC work on Darfur and meet their obligations to cooperate in implementing mandatory UN Security Council resolutions.

We also wish to remind all States and concerned groups and entities that all persons are equal before international law. Article 27 of the Rome Statute of the ICC on Irrelevance of Official Capacity stated that: *"This Statute shall apply equally to all persons without any distinction based on official capacity. In particular, official capacity as a Head of State or Government, a member of a Government or parliament, an elected representative or a government official shall in no case exempt a person from criminal responsibility under this Statute, nor shall it, in and of itself, constitute a ground for reduction of sentence."* Continued.....

Signed:

1. Darfur Call – The Hague, Netherlands, Tel +31 642330058
2. Darfur Centre for Human Rights and Development – London, UK Tel +44 7850380180
3. Darfur Relief and Documentation Centre – Geneva, Switzerland Tel +41 7973797.49
4. Darfur Peace and Justice – Brussels, Belgium Tel +32 48569155
5. Darfur Peace and Development – USA Tel +1 2023615589
6. Darfur Union in UK & Ireland – London, UK Tel +44 7930337583