



Arrest Now! Take Action in Support of the International Criminal Court's Work in Darfur

November 2007 Amnesty International USA Action



The conflict in Darfur, Sudan, has led to some of the worst human rights abuses imaginable: systematic and widespread murder, rape, abduction and displacement. Hundreds of thousands of civilians have been killed. Despite international outrage, not a single person responsible for war crimes or crimes against humanity in Darfur has been brought to justice.

Please read the background information below and send appeals as quickly as possible calling for increased cooperation and support for the International Criminal Court's work on Darfur. You can use the attached sample letter as your guide.

Background

Since 2003 an armed conflict has been taking place in Darfur, Sudan, between the government of Sudan and several armed opposition groups. To counter the insurgency in Darfur, the government of Sudan has also mobilized, armed and funded militia known as Janjawid. More than 200,000 people have died in the four-year conflict in Darfur and over 2.5 million have been displaced from their homes.

In March 2005, the United Nations Security Council referred the situation in Darfur to the Prosecutor of the International Criminal Court, and decided that "the Government of Sudan and all other parties to the conflict in Darfur, shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution" (Resolution 1593 (2005)).

In May 2007, after a 20-month investigation, the ICC issued warrants of arrest for two people, **Ahmad Muhammad Harun** (Ahmad Harun) and **Ali Muhammad Al Abd-Al-Rahman** (Ali Kushayb). The arrest warrants refer to crimes allegedly committed between August 2003 and March 2004, during several attacks allegedly carried out by the Sudanese Armed Forces and the Janjawid on four West Darfur towns (Kodoom, Bindisi, Mukjar, Arawala) and surrounding areas. According to the arrest warrants, crimes were allegedly committed against civilians primarily from the Fur, Zaghawa and Masalit populations, resulting in the death of about 1000 people.

Ahmad Harun is currently Minister of State for Humanitarian Affairs of Sudan. From 2003 to 2005 he was Minister of State for the Interior. In this capacity he was in charge of the management of the "Darfur Security desk" and coordinated the

different bodies of the government involved in the counter-insurgency, including the police, the armed forces, the National Security and Intelligence Service.

According to the ICC arrest warrant, he allegedly recruited, mobilized, funded and armed the Janjawid, with full knowledge that they would commit crimes against humanity and war crimes against the civilian population in Darfur. He also allegedly personally incited the Janjawid to attack civilians. The arrest warrant against him lists 42 counts of crimes against humanity and war crimes, including persecution, murder and forcible transfer.

Ali Kushayb is one of the most senior leaders of the Janjawid and a member of the Popular Defence Force. He was the "colonel of colonels" in the Wadi Salih locality of West Darfur. By mid-2003 he allegedly commanded thousands of Janjawid militias.

According to the ICC arrest warrant, Ali Kushayb allegedly led the attacks on the villages of Kodoom, Bindisi, Mukjar and Ararwala. He also allegedly enlisted, armed, funded and provided supplies to the Janjawid under his command. The arrest warrant against him lists 50 counts of crimes against humanity and war crimes, including persecution, murder, attacks against the civilian population and forcible transfer.

Amnesty International is seriously concerned that in the last year, the government of Sudan has withdrawn cooperation with the ICC's investigations. Furthermore, the Sudanese government has repeatedly stated publicly that it will not surrender Ahmed Harun and Ali Kushayb to the Court.

In September 2007, in a step that was met with strong condemnation from human rights groups throughout the world, the Sudanese government appointed Ahmed Harun to co-chair a committee designated to hear complaints from victims of human rights abuses in Darfur. Then, in early October, the government announced that it had released Ali Kushayb (who was reported to have been arrested in Sudan in November 2006 on unspecified charges related to Darfur), for lack of evidence.

The ICC has no police force with which to execute warrants. If the indictees do not comply with warrants, the ICC needs to rely on cooperation by Sudan, other states and intergovernmental organizations.

It is a critical time to let the U.S. government, who plays a pivotal role on the Security Council, know that you support the ICC and its work on Darfur. Write appeals as soon as possible in your own words, using the included sample letter as your guide.

To learn more about other current International Criminal Court investigations, please check out AIUSA's newest film, *Justice Without Borders*. www.amnestyusa.org/justice.

SAMPLE LETTER

Send letters to:

Secretary of State Condoleezza Rice

Dear Secretary Rice,

I write to you today to call on you to make justice for victims and accountability for perpetrators of crimes in Darfur a top priority. I am deeply concerned that the United Nations Security Council has failed to demand Sudan's compliance with the International Criminal Court's (ICC) ongoing investigation and issuance of arrest warrants. I believe that without justice, there can be no lasting, viable peace in Darfur.

As you know, the crisis in Darfur is among the world's largest humanitarian disasters. Millions of people are dependent upon humanitarian assistance for their very survival. And yet, the gatekeeper between the international humanitarian agencies and their beneficiaries, the current Sudanese State Minister of Humanitarian Affairs, Ahmed Haroun, is wanted for war crimes and crimes against humanity by the International Criminal Court (ICC). Shockingly, the Government of Sudan recently named him as the co-chair of a committee established to investigate human rights abuses in Darfur.

Mr. Haroun's nomination shows the Government of Sudan's utter contempt for the rule of law, and especially for the ICC, the very court to which the UN Security Council referred the crimes committed in Darfur.

I urge that the United States work within the framework of the United Nations Security Council to ensure that Sudan arrests and delivers to The Hague for trial Mr. Haroun and Mr. Ali Kushayb, the ICC's other named suspect.

In particular, the United Nations Security Council should:

- condemn Sudan's refusal to cooperate with the Court's investigation as a direct violation of Resolution 1593.
- reiterate its decision in Resolution 1593 (quoted above) for Sudan to cooperate fully with the Court and urging all States and concerned regional and other international organizations to cooperate fully;
- directly call on Sudan to arrest and surrender to the Court Ahmad Harun and Ali Kushayb immediately; and
- in accordance with Security Council Resolution 1591, consider designating Ahmad Harun and Ali Kushayb as individuals whose funds, financial assets and economic resources must be frozen by States.

Holding accountable those who ordered and executed the Government of Sudan's coordinated campaign of mass murder, rape and displacement is a precondition for guaranteeing a lasting peace in Darfur. Peace and justice are mutually reinforcing goals—to sacrifice one in pursuit of the other jeopardizes both. I strongly urge you to use your leadership publicly to ensure that the ICC and other transitional justice measures are integral to the UN's response to the crisis in the Darfur region.

Thank you in advance for your attention to this matter. Please respond at your earliest convenience to let me know how you are able to support the ICC's work in Darfur and beyond.

Sincerely,

For Further Action with Amnesty International USA

» [Sign the Global Petition for Darfur](#) and ask your friends and family to do the same: instantkarma.org.

» [Learn more about the International Criminal Court](#) and the ICC's current investigations in Uganda and the Democratic Republic of Congo by watching AIUSA's newest film *Justice Without Borders*: amnestyusa.org/justice. To learn more about the film, contact ija@aiusa.org.

Justice Without Borders explores the ICC's investigations of armed group leaders accused of enslaving children and forcing them to become soldiers. If you are interested in taking action in support of domestic legislation to stop the use of child soldiers, please visit amnestyusa.org/children.

» [Request copies of the AIUSA postcard action](#) in support of the ICC's work in Darfur. Simply contact ija@aiusa.org with your mailing address and the number of postcards you are requesting.

