

For Immediate Release

Chad: Bar Entry or Arrest Bashir
ICC Member States Should Not Allow Fugitives on their Territories

(New York, July 21, 2010) – Chad should deny entry to Sudanese President Omar al-Bashir or arrest him for trial at the International Criminal Court should he visit the country, Human Rights Watch said today. It has been widely reported in the media that al-Bashir is expected to travel to the Chadian capital N’ djamena this week to attend a summit of the Community of Sahel-Saharan States.

Al-Bashir is subject to two arrest warrants issued by the International Criminal Court (ICC) for atrocities committed in Darfur in Sudan. The first was issued in March 2009 on charges of war crimes and crimes against humanity. The second was issued in July 2010 on charges of genocide.

“Chad risks the shameful distinction of being the first ICC member state to harbor a suspected war criminal from the court,” said Elise Keppler, International Justice Program senior counsel at Human Rights Watch. “Chad should not flout its obligations to arrest al-Bashir if he enters Chad.”

The treaty of the ICC, the Rome Statute, to which Chad is a state party, requires member states to cooperate with the court, which includes execution of arrest warrants. The ICC has no police force and so depends on member states to enforce its orders.

Al-Bashir’s visit to Chad would be the first time the Sudanese president has entered the territory of an ICC member state since the ICC arrest warrants for him were issued.

Chad and Sudan have long fought proxy wars through support to each other’s insurgents. The two countries reached an agreement in January 2010, in which they promised to end support to each other’s rebel movements and jointly patrol their shared border.

“A political deal between Chad and Sudan is no justification for shielding alleged war criminals,” said Keppler. “Instead of protecting a fugitive from justice, Chad should urge Sudan to cooperate with the ICC.”

In addition to the warrants for al-Bashir, in April 2007 the ICC issued warrants for Ahmed Haroun, then the country’s minister for humanitarian affairs and now governor of Southern Kordofan state, and Ali Kosheib, whose real name is Ali Mohammed Ali, a "Janjaweed" militia leader. The prosecutor has also issued summons to appear for three Darfuri rebel leaders for attacks on an AU base in Haskanita in Darfur.

Sudan has refused to cooperate with the ICC’s work to ensure justice for crimes in Darfur. In June, the ICC issued a judicial finding of non-cooperation by the government of Sudan with respect to execution of the arrest warrants for Haroun and Kosheib, which have been outstanding for more than three years.

Human Rights Watch urged the United Nations Security Council and concerned governments to press Sudan to turn the accused men over to The Hague.

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