

Al-Bashir indicted by the International Criminal Court

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Sooner or later, the criminal activities of dictatorial leaders usually catch up with them. Finally, the butcher of Darfur, President Omar al-Bashir, is indicted for war crimes and crimes against humanity. It would have been within the Genocide Treaty to indict him for “genocide.” The brutality and inhumanity of the Janjaweed and the Sudanese security and military, who were instruments of al-Bashir as the President and Commander of the Sudanese Military Forces, is no different than the brutality and atrocities of Hitler’s SS. Al-Bashir and his brutal Government have betrayed the Sudanese people. First and foremost they are answerable to the Citizens of Sudan. TH

Sudan leader faces Darfur war-crimes charges

ICC issues warrant over alleged crimes against humanity and war crimes



Abd Raouf / AP file

AP Associated Press

THE HAGUE, Netherlands - The International Criminal Court issued an arrest warrant Wednesday for Sudanese President Omar al-Bashir on charges of war crimes and crimes against humanity in Darfur. He is the first sitting head of state the court has ordered arrested.

The three-judge panel said there was insufficient evidence to support charges of genocide in a war in which up to 300,000 people have died and 2.7 million have fled their homes.

"He is suspected of being criminally responsible ... for intentionally directing attacks against an important part of the civilian population of Darfur, Sudan, murdering, exterminating, raping, torturing and forcibly transferring large numbers of civilians, and pillaging their property," court spokeswoman Laurence Blairon said.

Hundreds of Sudanese waving pictures of the president and denouncing the court quickly turned out in a rally at the Cabinet building in Khartoum. Security was increased around many embassies, and some diplomats and aid workers stayed home amid fears of retaliation against Westerners.

Meant to destabilize Sudan?

Al-Bashir's foreign affairs adviser suggested the court's decision was linked to an effort to destabilize Sudan. But Blairon said the decision was made purely on legal grounds and was not political.



Al-Bashir denies the war crimes accusations and refuses to deal with the court, and there is currently no international mechanism to arrest him. The main tool the court has is diplomatic pressure for countries to hand over suspects.

Sudan does not recognize its jurisdiction and refuses to arrest suspects. U.N. peacekeepers and other international agencies operating in Sudan have no mandate to

implement the warrant, and Sudanese officials have warned them not to go outside their mandates.

If al-Bashir is brought to trial and prosecuted, he faces a maximum sentence of life imprisonment.

Sudanese TV did not carry the Hague news conference, but at one point broke in to programming with a brief news report that the warrant had been issued. The broadcaster on state radio announced the decision, and added, "a new chapter now begins" but did not elaborate.

Asked why judges, in a 2-1 split decision, did not issue the warrant for genocide, Blairon explained that genocide requires a clear intent to destroy in part or as a whole a specific group.



"In this particular case, the pretrial chamber has not been able to find there were reasonable grounds to establish a genocidal intent," she said.

She said prosecutors could ask again for genocide charges to be added to the warrant if they can produce new evidence. Prosecutor Luis Moreno Ocampo said he would study the ruling before deciding whether to keep pursuing genocide charges.

Ethnic war

The war in Sudan's western Darfur region began in 2003, when rebel ethnic African groups, complaining of discrimination and neglect, took up arms against the Arab-dominated government in Khartoum. In 2005, the U.N. Security Council asked Moreno Ocampo to investigate crimes in Darfur.

Sudan said it had expected the warrant.

"This decision was not a surprise to us, but all the mechanism of the state will react. We in the Cabinet will meet tomorrow to see what steps are to be taken," al-Bashir's foreign affairs adviser Mustafa Osman Ismail told state TV.

The ruling party leadership will meet later Wednesday to decide its course of action, he said.

"This decision comes within the context of the foreign powers that seek to undermine the stability of Sudan, it is one of the tools of the new colonization," Ismail said.

'Purely legal criteria'

Blairon said judges did not take into account possible repercussions when they made their decision.

"The findings of the judges are made on purely legal criteria," she said. "This is really important — the court is not a political institution. It speaks the language of the law."

Analysts fear the warrant could undermine international efforts to broker peace in Darfur and could spark a violence reaction. Some African nations reportedly threatened to pull out of the court in retaliation for a among the court's 108 member states.

Rights groups welcomed the decision.

"With this arrest warrant, the International Criminal Court has made Omar al-Bashir a wanted man," said Richard Dicker, director of the International Justice Program at Human Rights Watch. "Not even presidents are guaranteed a free pass for horrific crimes. By ruling there is a case for President al-Bashir to answer for the horrors of Darfur, the warrant breaks through Khartoum's repeated denials of his responsibility."

Sudan's ruling party announced that it plans a "million man march" in Khartoum on Thursday to protest any warrant.



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