

4 March 2009

Joint Statement by the Save Darfur Coalition, the Enough Project, Genocide Intervention Network, Refugees International, Physicians for Human Rights, Stop Genocide Now, Africa Action and American Jewish World Service

"We welcome today's decision by the judges of the International Criminal Court (ICC) to issue an arrest warrant for Sudanese President Omar al-Bashir.

"Their decision adds international legal weight to a long obvious truth - primary responsibility for the atrocities in Darfur rests with the regime that Bashir heads. Individual nations and the international community as a whole cannot continue to do business as usual with Bashir now that he is an indicted war criminal. At a minimum, countries should not allow him to travel to their territory and should limit diplomatic interaction with him in Khartoum to efforts to end the crisis in Darfur and bring peace to all of Sudan. He should not be allowed to attend summits, international conferences or similar functions, unless they are directly related to bringing peace and justice to Darfur or achieving full implementation of the Comprehensive Peace Agreement (CPA). A regime led by an indicted war criminal cannot possibly be treated as a full member of the community of nations. The international community must press Sudanese authorities to comply with their obligations to cooperate with the ICC, including executing all outstanding warrants.

"The ICC decision presents both challenges and opportunities. The international community, led by the United States and other members of the United Nations Security Council, must first and foremost meet the challenges. It must make absolutely clear that the Government of Sudan will be held responsible for any retaliatory action against civilians, humanitarian aid workers, or United Nations and Africa Union peacekeeping forces. The Security Council must explicitly identify severe consequences and employ them if necessary.

"Likewise, the Government of Sudan must know that the Security Council will categorically reject any attempt to abandon or suspend the Comprehensive Peace Agreement with the Government of South Sudan in retaliation for the ICC decision. The Security Council - led by its five permanent members and the seven non-permanent members who are parties to the ICC Statute - must resolve that it will not allow Khartoum to hold hostage the CPA, Sudanese civilians or the international operation to alleviate suffering caused by the Sudanese government.

"The various Darfur rebel movements must also understand from the Security Council that any attempt to use the ICC decision as an excuse for offensive military action is unacceptable, will only result in greater suffering for the Darfuri people and will incur punitive measures. Rebels should be encouraged to come to the negotiating table to take part in a peace process that is better structured and managed than previous efforts. The rebels must know that they stand to gain nothing, and risk losing everything, if they take matters into their own hands.

"While the Bashir arrest warrant presents challenges, it also provides an opportunity for peace. The international community, led by the United States, must pursue a comprehensive, negotiated peace in Sudan that builds on the framework of the CPA and takes into account the needs and rights of all citizens. Ultimately, the problem of Darfur cannot be resolved unless the problem of Sudan is resolved.

"For its part, the ruling National Congress Party (NCP) must take this opportunity to abandon its disastrous policies in Darfur and elsewhere and rehabilitate its relationships with the international community. For that to happen, it must end its attacks against civilians and its support for the janjaweed militias; cooperate fully with the UN-AU peacekeeping force (UNAMID); end impunity in Darfur; allow refugees and internally displaced persons to safely and voluntarily return home; negotiate in good faith with the rebel movements and Darfuri civil society to ensure equitable political rights and economic development; and fully implement the CPA. Any other course of action will lead only to greater isolation and further loss of legitimacy.

"The warrant for President Bashir's arrest provides a choice to the NCP, twenty years after it seized power in a military coup. It can choose to move backwards into chaos, destruction and increasing isolation for Sudan, or forward to peace, prosperity and full reintegration of Sudan into the community of nations. We hope it will choose the latter. But if it does not, we will fully support strong and immediate action to protect civilians and humanitarian aid operations throughout Sudan. The Security Council must give U.N. forces throughout Sudan better resources and more capable military personnel to ensure that they can protect themselves from provocations from either the government or rebels and provide much needed protection to civilians and humanitarian agencies."