

International Justice is Finally Catching Up with Sudan's Omar al-Bashir

Earlier today, 11 February, the transitional authorities in Sudan announced that several suspects indicted by the International Criminal Court (ICC) for crimes committed in the Darfur region should face trial in The Hague. Although the authorities have not yet formally announced final details, it is expected that at least four suspects indicted by the ICC and currently in custody in Sudan may be handed over to face prosecution for war crimes, crimes against humanity and/or genocide. This includes former President Omar al-Bashir.

Following a referral by the UN Security Council in 2005, Bashir and other senior government officials, including the Minister of State for the Interior, Ahmed Haroun, were indicted by the ICC for crimes perpetrated in Darfur. During a military campaign that was launched in 2003, government forces and allied militias allegedly killed thousands of civilians, burned villages and displaced several million people. Thousands of women were also raped and subjected to other forms of sexual violence.

The documented evidence of these atrocities is both shocking and comprehensive. The ICC's Pre-Trial Chamber found that Bashir played a crucial role in designing and implementing the Darfur campaign and determined that there were reasonable grounds to believe that he acted with specific intent to destroy in part the Fur, Masalit and Zaghawa ethnic groups. In 2009 Bashir was indicted for five counts of crimes against humanity and two counts of war crimes. A year later, he became the first and only person to be charged with the crime of genocide by the ICC. In 2007 Ahmed Haroun - who was responsible for coordinating the work of the National Security and Intelligence Service and the *Janjaweed* militia in Darfur - was also indicted for twenty counts of crimes against humanity and twenty-two counts of war crimes.

For more than a decade Bashir, Haroun and others have been fugitives from international justice. During that time they continued to lead the government and perpetrated crimes elsewhere in Sudan, including in South Kordofan and Blue Nile. However, in April 2019, following months of mass protests across Sudan, Bashir's dictatorship was finally overthrown. Since then, Sudan's transitional authorities have tried to grapple with the consequences of thirty years of military rule and systematic human rights violations and abuses committed under Bashir's authority and direction. Today's announcement is an important step in that ongoing process.

The UN Security Council's referral of the situation in Sudan to the ICC through Resolution 1593 of March 2005, emphasized the importance of justice for the victims in Darfur and ensured that it remained on the agenda of the international community. Despite the long wait over the past fifteen years, today's announcement is a reminder that the Security Council can and should act upon their responsibility to protect populations from mass atrocity crimes and uphold international law.

Dr. Simon Adams, Executive Director of the Global Centre for the Responsibility to Protect, said of the announcement, "Today is a victory for all those activists in Sudan who risked their lives to protest against dictatorship, corruption and the atrocities of the old regime. It is also a victory for all those around the world who stood in solidarity with Darfur and the long-suffering Sudanese people, and called for an end to impunity. For the last decade we have been saying that Omar al-Bashir belongs in handcuffs at the Hague. Year after year we have been repeating our message that while atrocity perpetrators desire silence, their victims demand justice. Finally, at last, justice appears to be closing in on Bashir."