

**Embassy of the Republic
of the Sudan**

3 CLEVELAND ROW

LONDON SW1A 1DD

TEL: 020-78398080



**سفارة جمهورية السودان
لندن**

www.sudan-embassy.co.uk

PRESS AND INFORMATION RELEASE

President Bashir at the AU 27th Summit (Kigali) 10-18 July

Once more, African leaders have confirmed solidarity with the Sudan when President Bashir participated in the AU 27th Summit (Kigali 10-18 July). The arrest warrant by the ICC did not stop the President from visiting Egypt, Qatar, Saudi Arabia, South Africa, India, China, Uganda, Djibouti, Indonesia and Nigeria. The Kigali summit renewed its commitment to the African consensus of rejecting the International Criminal Court's selective targeting of African leaders. The Rwandan Minister of Foreign Affairs dismissed the ICC's contacts about President Bashir's visit as "a mere distraction". Added to that, the AU's Economic and Social Cultural Council Advisory body issued a statement that the ICC is not independent but politicised. The double standards of the ICC were very clear since its foundation statutes (Rome 1998) excluded the "crime of aggression" from its remit in a clear signal of intention to protect aggressive major powers. Attempts to include the crime of aggression in Kampala Conference (2010) were thwarted. The President of the ICC, Judge Sang-Hyun Song told the UN General Assembly in October 2009: "this judicial institution operates within a political world." The political world has -as is well known - got its rules and codes. L. Moreno-Ocampo, the ICC's first prosecutor explained them to the Financial Times (Sept 2011) by saying that Western countries changed tunes according to their interests. "The [Western] politicians need a brave dog to create prevention, but not so brave it bites their own hands."

In a significant development that demonstrates the validity of the criticism that cites the validity of the views of those who are suspicious of the unaccountable, unelected, ICC, the US Congress passed in 2002, the American Service Members' Protection Act (ASPA) that authorises the President to use all means to free any US personnel held by the ICC.

Moreover, the Darfur investigation which culminated in the trumped up case against President Bashir was referred to the ICC by a Security Council in which the majority of the permanent members the US, China and Russia (3 out of 5) did not recognise the ICC or sign its statutes. This devalued the standards of the Security Council.

Furthermore, the US academic David Bosco has provided evidence of what L. Moreno-Ocampo was referring to. In his book, *Rough Justice* (2014) he documents the direct contacts behind the scenes between Israel and the prosecutor about Goldstone's Gaza Report (which was duly buried) and that the US too had "below the radar" contacts with him (the calls for investigating the Iraqi invasion were likewise buried). Dr. Bosco concludes with the damning verdict,..."the court has, for the most part, become an instrument in the toolkit of major powers responding to instability and violence in weaker states".

The weaker states are fighting back. As a result L. Moreno-Ocampo's successor has reached a cul-de-sac in the futile case against President Bashir. Aljazeera and other media outlets have now published more damaging news to the credibility of the ICC. The new President of the ICC, Judge Silvia Alejandra Fernandez, is reportedly embroiled in bribes that will further undermine the beleaguered ICC. No tears will be shed for the ICC in Africa or in all developing countries.

President Bashir has put an end to a destructive civil war and led the country, in cooperation with regional and international partners, through the sensitive developments of the Southern Sudan self-determination referendum and peaceful secession in 2011. He is now engaged in mediation to stabilise South Sudan and bring peace to the Sudan. The Sudan has signed the AU Roadmap agreement for peace last March and, with the support of the AU, UN and the Troika is trying to persuade recalcitrant rebels to sign too. The best reply to the dying ICC.

Media Office

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