

Deferral of ICC indictment is against Justice in Darfur

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Media reports talk of the British and French governments will back efforts in the United Nations Security Council (UNSC) to stall the International Criminal Court (ICC) issuance of an arrest warrant against president of Sudan, Omer Hassan Ahmed al-Bashir in order to protect the peace process in Darfur and Southern Sudan. It is flabbergasting and disappointing to the victims of crimes against humanity, war crimes and genocide. If this is actually true, despite the fact that both countries are members of the ICC and have been the main advocates at the UNSC for referring the Darfur case to the Court, their credibility will be called into question. () Sudan signed but has not ratified the Rome Statute of the (ICC) and is refusing to cooperate with its jurisdiction, but the UNSC triggered the provisions under Chapter VII of the United Nations Charter, to enables it to refer situations in non-State parties to the world court if it deems that it is a Threat to International Peace and security. This is beside **Responsibility to Protect (R2P)**

Principle which in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity, the UN member countries are prepared to take collective action, in a timely and decisive manner through the UNSC. President Omar Hassan Ahmed al-Bashir will not be able to escape with impunity without being subjected to justice for the crimes he committed and is continuing to commit against the people of Sudan in Darfur no matter how long it takes. ()

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