PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office as at:
Tuesday, 6 October 2009

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217
## Local News

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By Robert Blair

It is beyond my imagination that anyone would believe the president of Liberia would go into Sierra Leone because he wants to terrorize the people and take their wealth. That was Liberian warlord-turned-president Charles Taylor testifying at The Hague this week for his role in the Sierra Leone civil war, a conflict that raged for 11 years and claimed nearly 50,000 lives. Taylor has been alternately cogent and bombastic in his own defense. Not surprisingly, the more lurid details from the trial have provided the most popular grist for the media mill both in Liberia and abroad. With every headline, the charges that Taylor ridicules as beyond the imagination seem only more irrefutable, his crimes more outrageous and cruel.

Meanwhile, to many Liberians, Taylor remains a hero. For foreigners like myself, this is not an easy thing to understand. At times, his popularity seems a byproduct of his savagery. During the Liberian civil war, recruits for Taylor's National Patriotic Front of Liberia (NPFL) were often heard chanting a grim refrain: "He killed my ma, he killed my pa, I'll fight for him." A decade later, this mystique has not dissipated in many pockets of the country. While we in the international peanut gallery gape at the spectacle of the trial - a murderer defending indefensible acts - many Liberians continue to endorse Taylor and his charismatic brutality.

Why?

Over lunch the other day, I asked two Liberian colleagues and ardent Taylor fans to explain to me their views on the trial. Johannson Dahn and Zeleh Kolubah once fought as rebels in the NPFL. They now work at the National Ex-combatant Peacebuilding Initiative, a local NGO that provides psychosocial counseling for veterans of the war. Taking particularly sharp aim at the U.S. and its inept meddling in Liberia over the past two decades, Dahn and Kolubah offered an eloquent if not always convincing defense of their former commander-in-chief. This is what they told me.

For my Liberian colleagues, the sham of Taylor's trial began with his election as president in 1997 and the almost instantaneous calls for his resignation from around the world. "There was a serious war being fought in Liberia," explains Dahn. "Taylor was elected by the Liberian people. He had a mandate to protect their lives and property." Of the voices demanding Taylor's removal, none was so hypocritical as that of the Americans. When the war erupted in 1989, some 2,000 heavily-armed American Marines were stationed just off the Liberian coast. But then-President George H.W. Bush refused to send a single American soldier to help diffuse the crisis, and when a smaller contingent finally grounded in Monrovia, they were ordered only to protect the enormous embassy compound and the American civilians hiding inside.

Throughout the subsequent 14 years of war, the American government sat on its hands as thousands of Liberians were slaughtered. Asks
Taking particularly sharp aim at the U.S. and its inept meddling in Liberia over the past two decades, Dahn and Kolubah offered an eloquent if not always convincing defense of their former commander-in-chief. This is what they told me.

Linked to forced amputation," asks Dahn, "then how can that be linked to massacres and other war crimes?"

Who, then, is responsible for the atrocities perpetrated there? Dahn offers a categorical answer: "The Sierra Leoneans themselves.

And what of the crimes committed in Liberia? In the press, much has been made of Taylor's justifications for the grisly NPFL tactic of mounting human heads at road blocks as warnings to passersby. "Yes, it's true," says Dahn. "When enemy soldiers got killed, the bodies were used to live, work, and hold office in their home country. Dahn calls them Charlie's Angels: "They're clean, pure from heaven. No spot on them. But they are imposters." Taylor is their "sacrificial lamb" - a "brave, generous man," a man "who does not lie," a "humanitarian," says Dahn. "All these white collar guys you see around here in the big vehicles, supported by Americans. They are very good planners of very bad things. And they have met their match: Charles Taylor. Oh yeah."

-Called from Huffington Post, UK
AFC Practised ‘Cheap Politics’ with Chief Hinga Norman in 2006?

By Sylvia O. Byden

An attempt by President Koroma to describe leaders of the opposition Sierra Leone People’s Party (SLPP) as practicing “cheap politics” has boomeranged after investigative Freetown journalist, Brima Sumaru of the New Age Newspaper brought to the conscious memory of the populace a visit to the then opposition leader, Hon. Ernest Bai Koroma to detainees of the Special Court for Sierra Leone in January 2006.

It will be recalled that at a recent Meet-the-People occasion held at State House, President Koroma had slammed the opposition SLPP for paying a visit to the Special Court to see to the concerns of the Sierra Leonean convicts there detained whilst awaiting transfer to the Rwandan Prisons where the AFRC, RUF and Kamajor convicts are expected to serve their various sentences.

“Cheap politics!” President Koroma had described the move by the SLPP to visit with the Special Court registry to enquire into means by which the concerns of the Sierra Leonean convicts could be addressed. The concerns included the fact that there was no Sierra Leone Embassy in Rwanda and that the proposed Rwandan prison had been condemned as unsafe by international Human Rights activists whilst Rwanda itself was still unstable with Hutu-Tutsi tensions ever present.

These are the concerns that moved the SLPP out of professed humanitarian feelings for their compatriots, to visit with the Special Court management and see what steps, if any, could be taken to ameliorate the plight of the detained convicts and it is this humanitarian gesture that President Koroma was now seemingly referring to as “cheap politics”.

“So, it is safe to therefore say that the 2006 visit to Chief Hinga Norman was out of cheap politics to score points for the APC and was not out of any genuine intentions. In fact, when the APC came to power, the opposite happened as rather than making life better for the detainees, the international court just added more and more years to sentences of the Kamajors,” Ali Safroko Turay, an SLPP member from Lunsar opined to this writer during a visit to our offices yesterday.

Well, Journalist Brima Sumaru has now published an investigative article in his yesterday edition that clearly implies that if the SLPP was today playing “cheap politics”, then obviously the sitting President might also have played “Cheap politics” with the late Chief Hinga Norman and other Special Court detainees in January 2006 when he had led an APC delegation to visit with the prisoners and made all sorts of promises to the detainees which were seemingly never fulfilled. The full text of the Brima Sumaru article here follows:

DECEITFUL PROMISES: APC’s Visit to Special Court

By New Age Newspaper edited by Brima Sumaru

Revelations of a visit of President Koroma, Victor Boakie Foh and J.B. Kargbo to Special Court detainees sometime in January 2006 has brought to light falling promises made to detained persons during the time of campaigns.

Inside sources say President Koroma in 2006 January, paid impromptu visit to detainees of the Special Court, assuring them of his willingness to cause ease of punishment of all incarcerated for war crimes, crimes against humanity and other international crimes.

Findings bluntly reveal that President Koroma (then Leader of the opposition) told the late Hinga Norman and colleague detainees that he was with them and will continue to be with them.

“When it is tough I am with you, and when it is fine, I shall still be with you,” were the words of President Koroma to the detainees as told to New Age newspaper.

It could be recalled that a Press Conference was held at State House last week where President Koroma was observed criticizing the SLPP of playing politics on the issue of Special Court sentenced prisoners who now await movement to Rwanda where they are to serve their jail terms.

According to the Exclusive Newspaper of October 1st, it was reported that President Koroma blasted the SLPP for “playing cheap politics”, a thing he says will make no good to a sustainable and peaceful Sierra Leone.

Credible and cogent revelations has reached this press that the visit of President Koroma, Victor Foh and J.B. Kargbo to the detainees sometime in 2006, saw the birth of such promises made to late Hinga Norman and colleague detainees of APC’s implausible efforts that would be made on their behalf to lobbying the UN for ease of punishment and manner of sentence of all indicted by the Special Court.

Sources say the visit of the three was part of the APC’s campaign strategy to cause the indicted persons to convince their followers to follow and throw votes in favour of the party APC. It’s a call to remind that sentenced prisoners of Special Court, a few months ago, wrote officially to President Koroma, copying the Chairman of the opposition SLPP, bringing to their notices, ill-treatment and human rights violations planned to be meted out to them by the management of the Special Court.

Sources say the content of the letter explains how the prisoners are going to be forced to serve sentences in Rwanda at a prison condemned by Human Rights watchdogs in a country which is still unstable as they explode bombs there. In itself, these issues should have made it clear to all that Rwanda is unsafe and persons convicted by the Special Court are at risk to serve sentences in such a country. Puzzling of it all is the fact that Sierra Leone doesn’t have an Embassy there where complaints or concerns of sentenced prisoners could be heard and dealt with.

According to the Exclusive Newspaper of October 1st, it was reported that President Koroma blasted the SLPP of ‘playing cheap politics’, a thing he says will make no good to a sustainable and peaceful Sierra Leone.
OVER 19,000 VICTIMS REGISTERED FOR REPARATIONS

BY SANTIGIE KAMARA

An estimated number of 19,000 victims across the country will be benefiting from the National Commission for Social Action (NaCSA)'s Micro-grant provided by the United Nations Peace Building Fund and the International Organisation for Migration.

According to the Outreach Officer of NaCSA, Mr. Sati Kamara, the payment of Micro-grant for eligible beneficiaries commenced on the 22nd of September, 2009 in the entire country.

The Outreach Officer of NaCSA revealed that five categories identified are the Amputees, War wounded victims of sexual violence, Children to name but a few will have the sum of three hundred thousand Leones each as a Micro-grant.

He noted that for the children, it goes in the form of educational support especially from those who have lost their parents.

"For elders it intends to take care of themselves" he added and pointed out that there are other services on the pipeline such as health, education, skill training.

Mr. Kamara maintained that NaCSA is still working out the modality that is why they have decided to give the victims three hundred thousand Leones each till the programmes materialize.

"During the verification, some names were left out because they failed to provide the necessary information" the outreach officer said and noted that NaCSA is now dealing with straightforward cases and who so ever has problem should check at the various NaCSA headquarters for verification.

He revealed that over 8,000 victims have been paid nation wide and that the payment of the Micro-grant is just a continuation of what they have done.

"As part of the reparation four operations have been carried out on those who have bullets in their bodies" Mr. Kamara stated and pointed out that NaCSA did medical examination on over fifty women who were victims of rape, fistula surgery patients were sent to Mercy Ship and those who have complications were sent to the Marie Stopes.
International Clips on Liberia

UK pledges £12 million to help to deliver free healthcare in Liberia

Source: United Kingdom Department for International Development

New £12 million funding package announced to help make Liberia's commitment to provide free health care. A new £12 million funding package to help make Liberia's commitment to provide free health care a reality, was announced today by International Development Minister, Gareth Thomas. The three year funding package will help to ensure there are improvements in the country's health system - training more doctors and nurses; providing better equipment and life saving drugs. In particular, the funding will help to improve the maternal and child mortality rates in Liberia, which are some of the highest in the world.

Last week, at the UN General Assembly, the Prime Minister Gordon Brown hosted co-hosted a UN event in New York, at which he secured agreement from six countries to remove fees for health services to achieve the goal of universal health care.

Liberia's Press Union at 45 Years, Sees Partnership but no Conflict of Interest

www.voanews.com

The Press Union of Liberia celebrated 45 years of existence over the weekend, years that were at times marred by anti-press laws, government interference, media digression and transgression and lack of resources. But Union President Peter Quoiquoi said that in spite of the many challenges it has faced, the Press Union of Liberia has been able to champion the cause for press freedom. "We can certainly boast that we've been able to establish ourselves on the ground; we created sufficient awareness in our society that people know that the press is an instrument that supports democracy...on the whole, the Press Union has been very much on the front in making sure that there is press freedom, there is democracy in our country and of course the restoration of peace," he said.

International Clips on West Africa

Guinea

Guinean Crisis - Yar'Adua Appoints President Campaore As Facilitator

Abuja, Oct 05, 2009 (Leadership/All Africa Global Media via COMTEX) -- Sequel to the request of the International Contact Group on Guinea (ICG-G) during its last meeting held last month in New York where it reviewed the situation in Guinea as well as Cote d'Ivoire, Guinea Bissau, Liberia and Sierra Leone, Chairman of the Authority of Heads of State and Government of ECOWAS, President Umaru Musa Yar'Adua of Nigeria, has appointed President Blaise Campaore of Burkina Faso as facilitator on the Guinean crisis for ECOWAS. With this appointment, it is expected that President Campaore will visit Guinea within the next couple of days to begin his mission.
Ivory Coast
10/05/2009 09:56:07

UN And France Insist On Poll Plan

Oct 05, 2009 (The Nation/All Africa Global Media via COMTEX) -- The UN and France have warned Cote d’Ivoire of dire political consequences if the presidential elections billed for November 29, failed to take place. However, President Laurent Gbagbo has stated that "there were no obstacles for the holding of the plebiscite". In a statement at the weekend, the UN Secretary-General, Mr Ban Ki-Moon, said even though the publication last week of the provisional voter registration list was welcome, the slow pace of the disarmament and demobilization of former combatants, was indeed a cause for concern.

Local Media – Newspaper

President Sirleaf Calls for Strong Improvement in Liberia’s Judicial System
(New Democrat, The Monitor, New Democrat, The Analyst)

• President Ellen Johnson Sirleaf says there is an urgent need for improvement in the performance of the country’s judicial system.
• The President described as unacceptable the long delays in the adjudication of cases in court noting that many cases remain pending for long periods.
• Speaking Friday at the turning-over programme of 14 pick-up trucks to Public Defenders of the Judiciary, President Sirleaf challenged judicial officers to match the performance of their duties with the impressive input made by development partners.
• The vehicles which were turned over by UNMIL Deputy Special Representative, Henrietta Mensa-Bonsu were donated under the Peace Building Fund which is managed by the United Nations Development Programme.
• The Public Defenders programme was developed to improve the Criminal Justice system under sub-pillar 3 of the Poverty Reduction Strategy (PRS).

UNMIL Committed To Achieving Sustainable, Irrevocable Peace
(The Analyst, Daily Observer, The Monitor, Public Agenda)

• On the sixth anniversary of the start of operations of the United Nations’ Mission in Liberia (UNMIL), the Special Representative of the Secretary General (SRSG), Ellen Margrethe Løj has reiterated the mission’s commitment to achieving sustainable and irrevocable peace.
• Ms. Løj assured that the drawdown of UN forces in the country would be carried out in phases so the gains made are not jeopardize and to also allow Liberian security institutions to be put in place.
• Meanwhile, the SRSG has presented UN medals to Ethiopian military peacekeepers in Grand Gedeh County for their contribution to the peace and recovery process of the country.

Auditor General Says Political Appointees Responsible for Corruption in Government

• The Auditor General of Liberia, John Morlu says political appointees must be blamed for the rampant corruption in the public sector.
• Serving as one of three panelists at the 45th anniversary celebration of the Press Union of Liberia (PUL), held in Gbarnga, Bong County at the weekend, Mr. Morlu said unless punitive actions are taken against individuals who steal public funds, President Sirleaf’s fight against corruption will not yield favorable result.
• Meanwhile, the Auditor General of Liberia has frowned at what he called growth without employment.
• He said while government and its partners say more revenues are being generated, the corresponding impact is not felt in the lives of ordinary citizens.

Ex-Liberian Rebels Blamed for Guinea’s Terror
(Liberian Express, Plain Truth, New Democrat, National Chronicle)
• Reports say foreign gunmen, including some speaking English with Liberian accents allegedly took part in the mass killings of anti-government protesters in Guinea last week.
• The reports contradict a statement by junta Chief Captain Moussa Dadis Camara who blamed uncontrollable elements within the Guinean army for the killings of scores of demonstrators at a rally in the capital Conakry on Monday.
• More than 150 protestors were killed after the Guinea Government move in to disperse an anti-junta demonstration.

World Bank Places Liberia on Priority List
(The Monitor, Liberian Express)

• The World Bank has announced plans to help finance the restoration of electricity to Liberia.
• World Bank president Robert Zoellick said the bank would work with the private sector to provide funding for electricity in order to jump start real economic growth.
• According to Mr. Zoellick, the bank has noticed that the private sector does not have the capacity to independently finance electricity restoration.
• Responding to questions during a news briefing ahead of the bank’s annual meeting, Mr. Zoellick said the bank has placed Liberia on its priority list for assistance.

Local Media – Star Radio (culled from website today at 09:00 am)

President Sirleaf Wants Improvement in the Judicial System
(Also reported on Radio Veritas, Sky F.M., Truth F.M. and ELBC)

TRC Commissioner Wants President Sirleaf Implement Recommendations

• TRC Commissioner Massa Washington has called on President Ellen Johnson Sirleaf to rise above the fray and implement the TRC Report.
• Commissioner Washington wants the President to rise above personal interest and ignore what she considers politicizing the report to gave Liberians hope.
• But Presidential Press Secretary, Cyrus Badio dismissed Commissioner Washington’s call and said President Sirleaf will not implement any report that contradicts the constitution.

NEC Chairman says Failure to pass Threshold Bill Will Hamper 2011 Elections

• National Election Commission (NEC) Chairman, James Fromoyan says unless the threshold bill is passed now, Liberians must forget about 2011 elections.
• Commissioner Fromoyan said passing the population threshold bill now would enable NEC meet the elections timetable.
• The NEC boss spoke Saturday in Gbarnga Bong County at a forum organized by the Press Union of Liberia in commemorating of the Union 45th anniversary.

House Speaker says TRC Report Could Send Country Back to War

• House Speaker Alex Tyler says the final report of the Truth and Reconciliation Commission has the propensity to plunge the country back to war.
• Speaker Tyler described the completion and submission of the TRC report as hasty.
• He said he prefers reconciliation to the hastily punishment of alleged perpetrators.
• Meanwhile, Speaker Tyler has declared that the House of Representatives was prepared to submit to an audit by the General Auditing Commission.

Radio Veritas (News culled from website today at 09:45am)

Auditor General Says Political Appointees Responsible for Corruption in Government
(Also reported on Sky F.M., Truth F.M. and ELBC)
Monrovia - Liberia – UN Deputy Envoy, Henrietta Mensa-Bonsu has told Liberia’s new Public Defenders that the ‘eventual restoration of the confidence of the public in the justice system is dependent on them; and that Liberia counts on them “to play their part in her reconstruction efforts.” She made the remarks on 2 October, during a handover ceremony of 14 vehicles funded by the Peace Building Fund, as part of a UNDP project aimed at strengthening the Judiciary’s Public Defence Office.

Ms. Mensa-Bonsu pointed out that, “the inability of the justice system to provide services to all has fuelled the perception that the formal justice system is only for those who are well situated either socially or geographically.” With approximately 90% of all inmates in Liberia’s prisons awaiting trial, the Deputy Special Representative for Rule of Law cautioned that the situation is not merely of concern from a human rights perspective, but also poses a threat to security.

By providing Public Defenders with the requisite support to dispose of as many cases as possible through speedy and efficient trials, the project implementers expect to increase geographical and substantive access to justice. “Legal assistance provided by the State is an important vehicle for availing the average citizen of adequate legal representation,” she noted. Through this project, Public Defenders will also receive training, appropriate legal texts and office equipment. The 14 vehicles are seen as crucial to their mobility and motivation - assuring their ability to attend court hearings and visit defendants in prison.

The Deputy Special Representative for Rule of Law reiterated that the UN would remain a committed partner in its support of the Judiciary’s reform efforts and applauded the Supreme Court for its steady progress in fulfilling commitments made during a National Rule of Law Retreat held in September 2008. Among others, she lauded the Supreme Court’s decision “to strengthen accountability within the Judiciary by assigning responsibility for specific counties to individual members of the Supreme Court.”

The project’s funding is managed by the UN Development Fund and is being implemented by the Supreme Court through the Judicial Training Institute. Fellow implementing partners include the Carter Centre, PAE and the Legal and Judicial Systems Support Division of the United Nations Mission in Liberia.

The ceremony was attended by President Ellen Johnson Sirleaf; the Chief Justice of the Supreme Court, Johnnie N. Lewis; members of the Judiciary and the Liberian National Bar; senior government officials; and the UN family and its International partners.

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Radio Netherlands Worldwide  
Tuesday, 6 October 2009

Sudan's Bashir runs for president despite arrest warrant

By International Justice Desk

Criminal Court warrant to arrest him for war crimes and crimes against humanity.

The ICC says Bashir's government, who seized power in a 1989 military coup with Islamist backing, committed numerous atrocities while fighting rebels in Darfur.

The multi-party elections set for April 2010 will be the first in Africa's largest country in 24 years.

"The National Congress Party's General Conference has decided to support the nomination of Omar Hassan al-Bashir as (our) candidate for the presidential elections in 2010," the closing communiqué of the party conference said, according to Reuters.

Since the arrest warrant was issued last year, Bashir has received full backing from his party, which dominates the central government. He has travelled to countries that support him, in defiance of The Hague-based court.

The NCP is the first major political party to officially nominate a candidate for president.

On Wednesday more than 20 Sudanese parties, along with the NCP's partners in peace the former southern rebel Sudan People's Liberation Movement (SPLM), threatened to boycott the vote if the NCP did not push through promised reforms in two months.

These include legislation to ensure the independence of the media and reform the powerful national security forces.

Parliament opens this week and must pass legislation delayed by wrangling over content and foot-dragging by Bashir's party.

Bashir told the closing session of the party conference that he was "committed to free and fair elections".
ICC May Try Kenya’s Post-Poll Violence Culprits, Kibaki Says

By Sarah McGregor

Kenya is “leaving the door open” for the International Criminal Court to try the main culprits of post-election violence, while local courts will prosecute most of the suspects, President Mwai Kibaki said.

The Truth, Justice & Reconciliation Commission will examine historical wrongdoing and promote national healing, Kibaki said in an e-mailed statement. The commission will “not handle perpetrators of post-election violence,” it said.

An overhaul of the East African’s nation’s judicial system will enable it to deal with the bulk of offenders accused of involvement in two months of post-poll clashes last year, he said. A disputed presidential election in Dec. 2007 resulted in political and ethnic violence that left 1,500 people dead and displaced another 300,000.

It ended with the formation of a coalition government, which kept Kibaki as president for a second term and named opposition leader Raila Odinga as prime minister, in a deal mediated by former UN Secretary General Kofi Annan.

Annan, in Kenya to review progress on the agreement which included pledges of constitutional, judicial, police and land reform, met with Kibaki and Odinga earlier today.

The Hague-based ICC’s chief prosecutor Luis Moreno-Ocampo, said in a Sept. 30 statement he intends to pursue cases against those “most responsible” for the fighting.

To contact the reporter on this story: Sarah McGregor in Nairobi at Smcgregor5@bloomberg.net
New Vision (Uganda)
Monday, 5 October 2009

Sudan envoy condemns ICC warrant

By Madinah Tebajjukira

THE International Criminal Court (ICC) arrest warrant against the Sudanese leader, Omar Hassan al-Bashir, is a big obstacle to the realisation of peace in Sudan, the country’s ambassador to Uganda, Hussein Awad Ali, has said.

He said since Bashir and the head of the Southern Sudan government, Gen. Salva Kiir, were in charge of implementing the Comprehensive Peace Agreement, which was signed in Naivasha in 2005, the warrant would jeopardise the process.

“The peace process is underway and Bashir is entirely responsible for its implementation and the security of the country. When you issue an arrest warrant, you are blocking the peace process, because his movement is limited, and he cannot do any consultation on the matter,” Ali said.

He was addressing a press conference on Wednesday at the Sudanese Embassy in Kampala. Ali added that the warrant was politically motivated to keep Sudan in turmoil and to make it underdeveloped.

He warned that if the peace process is not handled well, the entire region will be affected. Ali criticised the ICC prosecutor, Luis Moreno Ocampo, for basing on what he called false information to issue the warrant.

He explained that Ocampo did not conduct any thorough investigation on the allegations against Bashir before issuing the warrant.

Ali said Ocampo wants to use the Darfur problem for personal gains. “Ocampo wants to start with Sudan, which he thinks would not challenge him to build his professional career. He is not looking for justice but for galvanised politics,” Ali emphasised.

He noted that Sudan and the United States of America were not signatories to the UN Security Council, but wondered why no arrest warrant had been issued against President George Bush over the atrocities committed in Afghanistan and Iraq.

Ali argued that African leaders were key to solving the Darfur problem because they understand the problem better than international agencies.

He appealed to African leaders to withdraw their signatures from the UN Security Council, which empowers the ICC to arrest and try heads of state against war crimes.

“African leaders should re-think their membership with the UN Security Council. They might indirectly be throwing their countries into problems,” Ali said.

He pointed out that though the ICC is mandated to build justice in states, which have undergone insurgencies, it had diverted and was concentrating on political ambitions.

The ICC in the Hague issued a warrant for the arrest of Bashir in March this year over war crimes and crimes against humanity.

Bashir is suspected to have intentionally ordered the military against the civilian population in Darfur in south-west Sudan, which resulted in alleged murder, torture and rape of women by the soldiers.

According to the ICC’s Pre-Trial Chamber 1, Bashir’s status as a sitting head of state does not guarantee him immunity against prosecution.