

**Chad: Don't Welcome ICC Fugitive
By Human Rights Watch
25 April 2013**

(New York) – The government of Chad should arrest Abdelraheem Mohammed Hussein, the defense minister of Sudan, Human Rights Watch said today. He is expected to attend a conference in Chad on April 25 and 26, 2013, according to news reports.

Hussein is sought by the International Criminal Court (ICC) on charges of war crimes and crimes against humanity committed in Darfur, where he served as the Sudanese president's representative for the region in 2004, during the height of the conflict. The ICC issued an arrest warrant for Hussein on March 1, 2012, and this appears to be the first time he is traveling to the territory of an ICC member.

"Chad should stand with Darfur's victims and arrest, not welcome, Hussein," said Elise Keppler, senior international justice counsel at Human Rights Watch. "He is a fugitive from justice who is sought with respect to heinous crimes committed in Darfur."

As an ICC member, Chad is obligated to cooperate in securing the surrender of those wanted by the court. Chad has previously allowed Sudanese President Omar al-Bashir, who is also subject to an ICC arrest warrant for crimes in Darfur, to visit Chad two times.

The Chadian government has contended that in allowing al-Bashir to visit, it is abiding by a decision of the African Union (AU) calling for African governments not to cooperate in his arrest. As a matter of international law, however, AU decisions cannot negate Chad's obligations as an ICC member. Also, the AU decision does not apply to Sudanese suspects other than al-Bashir.

"Chad does not have a leg to stand on if it tries to hide behind the African Union in not arresting the defense minister," Keppler said. "The AU has never called for Hussein to be protected from arrest."

Other African ICC members – including South Africa, Malawi, Botswana, Central African Republic, and Zambia – have made clear that al-Bashir will be arrested on their territory, or have cancelled anticipated visits by al-Bashir to their countries.

Chad postponed two additional anticipated visits by al-Bashir in March and April amid public outcry and diplomatic concern over the expected travel.

African civil society has protested travel by ICC fugitives to the territory of ICC countries and called for suspects to be arrested for trial by the ICC.

"Civil society across Africa has repeatedly called for African governments to surrender suspects to the ICC," Keppler said. "Chad took a step in the right direction when it avoided anticipated visits by al-Bashir in March and April."

© Human Rights Watch