



HURINET - Uganda



Uganda Coalition on the ICC (UCICC)

TUE May 10, 2011

### **Press Release; Visit of President Omar Al Bashir to Uganda**

Human Rights Network-Uganda, (HURINET-U) and the Uganda Coalition on the International Criminal Court (UCICC) are dismayed to learn that Government of Uganda had extended invitation to President Omar Al Bashir of Sudan to attend President Yoweri Museveni's swearing in on Thursday May 12, 2011. This development was expressed in Sudan's Official News Agency (SUNA), 9 May 2011.

Uganda is a State Party to the Rome Statute of the International Criminal Court. The country has also domesticated the Rome Statute of the ICC by enacting the ICC Act-2010; which has provisions that set out obligations for close cooperation with the court with regard to arrest and Surrender of persons on who arrest warrants have been issued. Further the United Nations Security Council (UNSC) Resolution 1593 that referred the Darfur situation to the ICC imposes obligations on all UNSC members to arrest and surrender all persons including President Bashir. Aware of these obligations, Uganda should not have invited Bashir unless she wants to arrest him.

Article 27 of the Rome Statute disregards the official capacities of Heads of state and states that immunities of Heads of States are of no consequence to the court's processes. Uganda also has obligations under the Constitutive Act of the African Union that obliges states to take measures to fight impunity; this is in addition to obligations under the Great Lakes Protocols that call upon states to arrest and Surrender Persons who may have committed serious crimes.

Inviting an international criminal suspect to Uganda not only betrays the fight against impunity which Uganda has for long championed but also betrays the concerns and interests of the Victims of the most heinous crimes. Besides, inviting such an international criminal suspect wanted by the ICC makes a mockery of the swearing in ceremony which is supposed to be an historic event ushering in a democratic process.

This action by Uganda portrays a systematic trend by some African States that have failed to cooperate with the Court. Bashir has recently visited Djibouti, Kenya and Chad. The ICC must nip in the bud such practice by invoking Article 87(7) of the Rome Statute and referring states like Djibouti and others to the Assembly of States Parties. Failure to do so will only promote greater violations of the Statute and this must be stopped.

We therefore call upon Uganda to respect and fulfill her obligations under International Law;

- By revoking the invitation that has already been sent to President Bashir and making it clear that he would be arrested in case he steps foot in the country just like Botswana and South Africa have on previous occasions done.
- Arrest and surrender President Omar Hassan Al-Bashir to the ICC in the unfortunate event that he attends the swearing in ceremony in Kampala
- Take her international obligations seriously and continue to cooperate with the Court.



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