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## **PRESS RELEASE**

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### **For Immediate Release**

## **AU Summit: Malawi Stands with Darfur Victims** *Government Won't Host Summit if al-Bashir Attends*

(Johannesburg, June 8, 2012) – The Malawi government showed strong support for victims of international crimes by deciding not to be the host of the African Union (AU) summit if President Omar al-Bashir of Sudan is allowed to attend, African civil society organizations and international organizations with a presence in Africa said today.

The AU has insisted that al-Bashir, who is wanted by the [International Criminal Court](#) (ICC) for genocide, war crimes, and crimes against humanity committed in Darfur, be permitted to attend the summit, scheduled for July 9 to 16, 2012.

“Malawian President Joyce Banda took a strong stance in support of justice despite tough pressure from the African Union,” said Undule Mwakasungula, director of the Malawi Centre for Human Rights and Rehabilitation. “Malawi has done right by Darfur victims today.”

When Banda became president in April, she indicated that Malawi would continue to host the AU summit as planned. But she also made clear that al-Bashir would not be welcome at the summit given his pending ICC arrest warrant.

Malawi is a state party to the Rome Statute, which created the ICC. The Rome Statute requires member states to cooperate with the court, which includes executing arrest warrants. The ICC has no police force and thus depends on member states to enforce its orders.

According to news reports, the AU wrote the Malawi government in June that it would move the July summit if al-Bashir were not welcomed. The AU previously has issued decisions that its members should not cooperate in the arrest of al-Bashir, but these do not negate the obligations

of ICC member states to arrest, the organizations said. Malawi's previous president, the late Bingu wa Mutharika, allowed al-Bashir to visit in [October 2011](#).

“Malawi joins an increasing number of countries that have declined to welcome al-Bashir,” said Alan Wallis, international justice lawyer at the Southern Africa Litigation Centre. “More states should follow Malawi's example.”

Some countries have allowed al-Bashir on their territory, such as [Kenya](#), [Chad](#), and [Djibouti](#). Following outcries from African civil society groups, other states have cancelled visits, including [Zambia](#), [Central African Republic](#), [Uganda](#), and [Kenya](#) for a return visit. In addition, countries such as South Africa and Botswana have made clear that al-Bashir is not welcome on their soil.

“Civil society groups across the African continent have repeatedly urged governments to arrest—not host—al-Bashir,” said Elise Keppler, senior international justice counsel at Human Rights Watch. “African activists have called for their governments to stand with victims, not with suspected war criminals.”

The organizations quoted in this news release are part of an informal network of African civil society organizations and international organizations with a presence in Africa who work on the ICC and Africa. Additional organizations that are involved in this informal network that expressed support for this release are the West African Bar Association in Nigeria, the Ugandan Coalition for the International Criminal Court, the International Commission of Jurists-Kenya, the Coalition for Justice and Accountability in Sierra Leone, the Center for Accountability and Rule of Law-Sierra Leone, the International Crime in Africa Programme of the Institute for Security Studies in South Africa, Amnesty International, the global Coalition for the International Criminal Court, and the International Center for Transitional Justice.

Malawi civil society organizations have indicated they will also issue a statement on Malawi's decision not to be the host for the summit. A link to their statement will be added to the webpage version of this release once it is available.

**For civil society action around previous anticipated al-Bashir travel, see:**

<http://www.hrw.org/en/news/2010/12/13/civil-society-icc-zambia-letter>

<http://www.hrw.org/news/2011/06/20/china-do-not-host-sudanese-president>

<http://www.hrw.org/news/2011/06/15/malaysia-withdraw-invitation-sudanese-president>

<http://www.hrw.org/news/2010/07/21/chad-bar-entry-or-arrest-bashir>

<http://www.hrw.org/news/2010/08/26/kenya-arrest-bashir-or-bar-him-entry>

[http://www.ucicc.org/attachments/article/23/110510\\_Press%20Statement%20on%20President%20al-Bashir's%20Visit%20to%20Uganda.pdf](http://www.ucicc.org/attachments/article/23/110510_Press%20Statement%20on%20President%20al-Bashir's%20Visit%20to%20Uganda.pdf);

[http://www.iccnw.org/documents/malawi\\_groups\\_statement\\_on\\_bashir.pdf](http://www.iccnw.org/documents/malawi_groups_statement_on_bashir.pdf)

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Yours sincerely,

A handwritten signature in cursive script that reads "George Kegira".

Executive Director  
ICJ Kenya