

YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW - VOLUME 14, 2011
CORRESPONDENTS' REPORTS

CHAD¹

Contents

Government Action — Visit of Omar Al Bashir and Failure to Satisfy Obligation to Arrest 1

Government Action — Visit of Omar Al Bashir and Failure to Satisfy Obligation to Arrest

President Omar Al Bashir of Sudan went to the Republic of Chad on 7 August 2011 to attend the swearing-in ceremony of re-elected Head of State Idriss Deby Itno. President Al Bashir is the subject of an arrest warrant by the ICC for genocide, war crimes and crimes against humanity committed against the civilian population in Darfur. Chad is a State Party to the ICC and as such, was obliged by the *Rome Statute* to arrest any person for whom the Court has issued a warrant.²

Subsequently, PTC I decided that the Republic of Chad failed to cooperate with the ICC by not arresting and surrendering Omar Al Bashir to the Court during his visit, and referred the matter to both the UN Security Council and the Assembly of States Parties.³

DAN KUWALI

¹ Information and commentaries by Lt Colonel Dr. Dan Kuwali, Post Doctoral Research Fellow, Centre for Human Rights, University of Pretoria, Senior Researcher, Centre for Conflict Resolution, University of Cape Town and Deputy Chief of Legal Services, Malawi Defence Force, Malawi.

² No Peace Without Justice, 'NPWJ urges Chad to arrest President Bashir; ICC and States Parties should press Chad to comply with legal obligations' (8 August 2011) <<http://www.npwj.org/ICC/NPWJ-urges-Chad-arrest-President-Bashir-ICC-and-States-Parties-should-press-Chad-comply-with-leg>>.

³ *Prosecutor v Al Bashir* (ICC, Pre-trial Chamber, Décision rendue en application de l'article 87-7 du Statut de Rome concernant le refus de la République du Tchad d'accéder aux demandes de coopération délivrées par la Cour concernant l'arrestation et la remise d'Omar Hassan Ahmad Al Bashir, 13 December 2011).