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## **Turkey: No to safe haven for fugitive from international justice**

Amnesty International today condemned an invitation extended by Turkey to Sudanese President Omar al Bashir to attend a meeting in Turkey, even though he is wanted by the International Criminal Court (ICC) on charges of war crimes and crimes against humanity.

“President Omar al Bashir is a fugitive from international justice, charged with responsibility for crimes against humanity and war crimes against men, women and children, including murder, rape, torture and forced displacement. It would be a disgrace for Turkey to offer him safe haven,” said Christopher Keith Hall, Senior Legal Advisor, at Amnesty International.

President Omar al Bashir has been invited to attend a meeting of the Organisation of the Islamic Conference (OIC), which is taking place in Istanbul Turkey from 5 to 9 November 2009.

An arrest warrant for President Omar al Bashir was issued by the ICC on 4 March 2009 on charges of crimes against humanity and war crimes.

“If the Turkish authorities fail to arrest President Omar al Bashir and hand him over to the ICC, this would be inconsistent with Turkey’s international obligations,” Christopher Keith Hall said.

“It would not only amount to obstruction of justice, but just as offering shelter to a fleeing bank robber constitutes a crime under national law, so, too, would sheltering a fugitive from international justice be complicity in crime.”

According to press reports, Turkish officials have stated that they would not arrest and surrender President Omar al Bashir.

“Turkey must act as a responsible member of the international community for the sake of thousands of victims of crimes against humanity and war crimes committed in Darfur,” Christopher Keith Hall said.

### **Background**

Turkey is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which obliges it to open an investigation when persons suspected of torture - without any limitation as to rank - are present and to take them into custody or take other legal measures to ensure their presence pending institution of criminal or extradition proceedings.

Although Turkey is not a party to the Rome Statute of the ICC, it is a party to the Convention against Torture and has made commitments to ratify the Rome Statute.

Under Article 13 of its Penal Code, Turkey can arrest foreigners suspected of responsibility for crimes against humanity committed abroad against other foreigners.

As a member of the Security Council, Turkey's offer of a safe haven to a fugitive from international justice is inconsistent with the Security Council's resolution 1593 which "urges all States and concerned regional and other international organizations to cooperate fully" with the International Criminal Court regarding Darfur.

**Notes to editors:**

Turkey has recently sought to strengthen its relationship with Sudan. Sudan has ended visa requirements for Turkish nationals and restrictions on Turkish investment in Sudan.

Since the ICC issued the arrest warrant on 4 March 2009, President al Bashir has visited seven states (Eritrea, Egypt, Libya, Qatar, Saudi Arabia, Ethiopia and Zimbabwe), none of which are parties to the ICC treaty. He has recently intended to visit Uganda and Nigeria and, in each instance, after protests by civil society in those countries he cancelled his planned visits.

A number of states, including Botswana, Brazil and South Africa, have indicated that they would arrest President al Bashir if he were to enter their countries.