

# PRESS RELEASE

## *Sudan Darfur Criminal Court in Action*

Saturday 18th June 2005 , has witnessed the first sitting of a Special Court set up by the Government of Sudan to try cases relating to gross abuses of human rights in **Darfur** . This special Court is made up of three judges , two men and a woman , chaired by Judge **Mahmoud Saeed Abkam** . It was brought into being by ministerial decree earlier this month . A special court will also sit within each of the three **Darfur** states and will have jurisdiction over alleged war crimes in the region .

The special Court is the culmination of over one year of legal investigations into the criminality that has wracked **Darfur** since the beginning of a rebellion in early 2003 . These legal proceedings also follow the recommendations of the National Commission of Inquiry on events in **Darfur** , a commission set up by Presidential decree in early 2004, recommendations based upon eight months of investigations .

The National Commission of Inquiry found that there had been no genocide in **Darfur** , but serious human rights violations had nevertheless committed ; that impunity shall no be tolerated and that the victims of human rights violations have to compensated . Immediately , upon submission of the findings of the National Commission of Inquiry , the Government of **Sudan** established three judicial commissions to address these issues , namely the identification and prosecution of those accused of human rights abuses , the compensation of war victims and the settlement of tribal lands disputes .

The methodology followed by the National Commission was clearly more legally oriented than the International Commission of Inquiry on **Darfur** which reported to the United Nations , and which sat for only 12 weeks .

The Special Court on **Darfur** established this month is a direct consequence of the findings and recommendations of the National Commission and is an integral part of **Sudan's** functional and competent legal system . There are 1,619 courts spread throughout **Sudan** ; 898 of these are magistrate courts . In **Darfur** there are 115 courts of law . Sudanese Courts are served by 3,700 judges who are appointed according to strict criteria . The judiciary in **Darfur** heard 30,840 cases in 2003 , of which 15,598 were criminal cases . In 2004 it dealt with 27,317 cases , of which 11,642 were criminal cases .

The system has continued to operate despite rebel attempts to dislocate law and order in the region through systematic attacks on Court premises , judges and policemen . Almost seven hundred policemen have been murdered in **Darfur** by the rebels and more than 80 police stations have been destroyed .

The Sudanese legal system is derived from two major universal legal systems . It has a well-established history of efficiency , integrity and independence which guarantees beyond all all doubt , its ability and willingness to adjudicate on the issues put before it .

International instruments on human rights law and international humanitarian law , to which *Sudan* is a party , constitute part and parcel of Sudanese law .