



29 August 2013

Dear Nigerian Coalition for the International Criminal Court,

On behalf of Act for Sudan, we thank you for filing the summons to compel the Nigerian government (Nigeria) to respect its legal obligation under the Rome Statute and to enforce the warrants of arrest issued by the International Criminal Court (ICC) against the president of the Republic of Sudan, Omar Hassan Ahmad Al-Bashir (Bashir), for genocide, war crimes, and crimes against humanity.

After the Arab League announced its solidarity with Sudan in March 2009 by rejecting the ICC's first decision to issue a warrant for Bashir's arrest, the African Union (AU) passed a resolution supporting the Arab League's decision. The AU continues to instruct its 54 member states not to cooperate with the ICC by allowing Bashir to make official visits without fear of arrest, which creates a conflict of interests for state parties to the Rome Statute.

Nigeria has a legal obligation under Article 89 of the Rome Statute of the ICC and Article 26 of the Vienna Convention on the Laws of Treaties to arrest any person indicted by the Trial Chambers of the ICC who enters its national territory and to surrender such person to the ICC.

Your suit, filed on 15 July 2013, requesting that Nigeria immediately arrest Bashir in Nigeria's national territory and surrender him to the trial chamber of the ICC in The Hague, Netherlands, was instrumental in causing Bashir to flee Nigeria to Sudan, before his scheduled presentation at the "HIV/AIDS and Malaria Summit," sponsored by the AU.

Your action in Nigeria is a model for civil society groups in member states that are obligated to arrest Bashir by providing a legal pathway to encourage support for the enforcement of the ICC arrest warrants.

We support your efforts to end impunity and would appreciate the opportunity to work together in securing Bashir's arrest.

Sincerely,

Bahar Arabie
Kimberly Hollingsworth
Mohamed Suleiman
Core Members, *Act for Sudan*

cc: Legal Defence & Assistance Project Ltd/Gte
Women Advocate Research and Documentation Center