Basic information

2010/2847(RSP) RSP - Resolutions on topical subjects	Procedure completed
Resolution on Kenya: failure to arrest President Omar al-Bashir **Subject** 6.10.08 Fundamental freedoms, human rights, democracy in general **Geographical area** Kenya	

Key events

Date	Event	Reference	Summary
09/09/2010	Decision by Parliament	T7-0315/2010	Summary
09/09/2010	Results of vote in Parliament		
09/09/2010	Debate in Parliament		
09/09/2010	End of procedure in Parliament		

Technical information

Procedure reference	2010/2847(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Urgent debate or resolution
Legal basis	Rules of Procedure EP 150
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Motion for a resolution		B7-0505/2010	07/09/2010	
Motion for a resolution		B7-0506/2010	07/09/2010	
Motion for a resolution		B7-0507/2010	07/09/2010	
Motion for a resolution		B7-0508/2010	07/09/2010	
Motion for a resolution		B7-0509/2010	07/09/2010	
Motion for a resolution		B7-0510/2010	07/09/2010	
Text adopted by Parliament, single reading		T7-0315/2010	09/09/2010	Summary

Resolution on Kenya: failure to arrest President Omar al-Bashir

2010/2847(RSP) - 09/09/2010 - Text adopted by Parliament, single reading

Following a debate which was held on the 7 September 2010, the European Parliament adopted a resolution on Kenya's failure to arrest President Omar al-Bashir.

The text adopted in plenary was tabled as a joint resolution by the EPP, S&D, ALDE, Greens/ALE, ECR, GUE/NGL groups.

Parliament expresses its **regret at Kenya's decision to invite President Omar al-Bashir** to attend on 27 August 2010 the signing of the new Constitution, which brings a new democratic governance era to the country. The Kenyan Government invited and welcomed President Omar al-Bashir of Sudan to take part in the ceremony, knowing that he had been indicted by the ICC. An international warrant for the arrest of the President al-Bashir for crimes against humanity and war crimes had been issued in March 2009, and President al-Bashir is also the subject of an order of 12 July 2010 indicting him for genocide by killing, genocide by causing serious bodily or mental harm and genocide by deliberately inflicting on each target group conditions of life calculated to bring about the group's physical destruction.

Parliament recalls that Kenya, as well as 31 other African countries, is a signatory to the Rome Statute, which imposes upon them an obligation to arrest any person who is wanted by the ICC and to deliver them to the Court or deny the person admission to their territory. In July 2009 the **African Union indeed announced that its Member States would refuse to cooperate**, as required by the Statute and reiterated this position after the indictment for genocide of Omar al-Bashir and called on the UN Security Council to suspend the prosecution of the Sudanese President. African Heads of State and Governments which are signatories to the Rome Statute are asked to honour their commitments and cooperate with the ICC in its investigations of war crimes, crimes against humanity or genocide. Parliament **deplores the positions adopted by the African Union and the Arab L**eague in refusing to cooperate with the ICC and **calls on the High Representative of the European Union to take the necessary steps to ensure that this item is placed on the agenda at the next AU/EU Summit.** It calls upon the African Union to review its position and oppose impunity, injustice, war crimes, crimes against humanity and genocide. Members ask the President and Government of Kenya to reaffirm their commitment and their cooperation with the ICC, including with regard to the acts of violence following the elections of 2007 and 2008. Members call on the members of the international community, including all African countries, to ensure full accountability for crimes committed against international law, particularly in Sudan.

Lastly, Parliament calls for an end to impunity for all crimes perpetrated during the war in Sudan, and hopes that President al-Bashir will soon be brought to the ICC in The Hague – where he will benefit from rights granted by international law – as part of the necessary re-establishment of justice, the rule of law and respect for the victims of such crimes.