

HUMAN RIGHTS WATCH

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: 212-290-4700
Fax: 212-736-1300
Fax: 917-591-3452

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January 27, 2012

Mr. Ban Ki-moon
Secretary-General
United Nations
North Lawn Building, room 3019
New York, NY 10017

Dear Secretary-General:

Human Rights Watch was concerned to learn that Ibrahim Gambari, the joint African Union-United Nations special representative, attended the wedding ceremony of Chad's President Idriss Deby on January 20, 2012 in Khartoum, in the presence of Sudanese President Omar al-Bashir.

As you know President al-Bashir is subject to two arrest warrants issued by the International Criminal Court (ICC) for crimes committed in Darfur, including war crimes, crimes against humanity, and genocide. UN guidelines limit UN officials' interactions with individuals indicted by the international criminal courts, such as President al-Bashir, to "what is strictly required for carrying out UN mandated activities."

Attendance at a wedding ceremony cannot, in our view, be justified as "strictly required." In fact the UN guidelines state that "the presence of UN representatives in any ceremonial or similar occasion with [persons indicted by international criminal courts] should be avoided." We also understand that UN guidance specifically in relation to President al-Bashir states that "interactions of a ceremonial nature with President Al-Bashir should be avoided, including courtesy calls, receptions, photo opportunities, attendance at national day celebrations and so on."

Discounting these guidelines brings the UN's credibility in disrepute and sends a terrible message to victims of heinous crimes in Darfur. Indeed, images of Mr. Gambari embracing President al-Bashir have been widely circulated, showing Darfuri victims that the head of UNAMID socializes with suspected war criminals. It is also reported that Sudan's defense minister, Abduraheem Hussein, also attended the ceremony; the ICC prosecutor on December 2, 2011 requested an

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arrest warrant for Hussein on charges of war crimes and crimes against humanity committed in Darfur.

Mr. Gambari's attendance was also at odds with the UN's stated commitment to the ICC, and came only days before your address to the General Assembly, during which you declared that the world has "entered into a new age of accountability," noting specifically the UN will "extend the reach of the International Criminal Court."

The Department of Peacekeeping Operations replied to us on Wednesday, January 25, that Mr. Gambari "attended the wedding at the invitation of President Deby ... [and had] no control over the guest list." Given the significant likelihood that President al-Bashir would attend the event, proper due diligence on Mr. Gambari's part would have avoided this situation, and the resulting harm to victims in Darfur and the UN's reputation.

The UN's guidelines seek to deny President al-Bashir, and others wanted for serious international crimes, the legitimacy that may come with such ceremonial interactions. UN officials should firmly adhere to them. We trust that you will formally raise these concerns with Mr. Gambari and take appropriate action to avoid a repetition of these events.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Roth". The signature is written in a cursive, somewhat stylized font.

Kenneth Roth
Executive Director

Cc: Ms. Patricia O'Brien, Under-Secretary-General for Legal Affairs
Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations