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JOHN HAGAN, CENTER ON LAW AND GLOBALIZATION SCHOLAR, REACTS TO DECISION OF THE INTERNATIONAL CRIMINAL COURT TO POSSIBLY EXPAND CHARGES AGAINST SUDANESE PRESIDENT al-BASHIR TO INCLUDE GENOCIDE IN DARFUR

CHICAGO, Feb. 4, 2010 – Responding to a recent decision by the Appeals Chamber of the International Criminal Court directing the Pre-Trial Chamber to consider expanding the arrest warrant issued to Sudanese President Omar Hassan al-Bashir to include genocide, American Bar Foundation sociologist John Hagan said “The decision of the appeals panel of the International Criminal Court that judges previously erred in refusing to indict Sudan’s President Omar al-Bashir is important because it acknowledges evidence amassed over more than five years that the atrocities in Darfur have claimed two to four hundred thousand lives and displaced two to three million people to camps where they remain or die from continuing health problems.” He added, “The latter health problems are intensified by President al-Bashir’s government harassment and removal of aid groups from Darfur. The ICC appeals panel has confronted the reality of the still mounting evidence of genocide.”

This decision comes a little more than a year after the Court handed down a warrant for the arrest of al-Bashir for alleged war crimes and crimes against humanity in the Darfur region of Sudan, the Appeals Chamber of the Court, in response to an appeal filed by Prosecutor Luis Moreno-Ocampo, has now directed the Pre-Trial Chamber to again consider whether the arrest warrant issued to al-Bashir on charges of crimes against humanity should be expanded to include the crime of genocide. The arrest warrant was issued in March 2009 was in response to the case presented by Ocampo, and listed multiple counts naming al-Bashir personally criminally responsible for atrocities committed in the region. The charges for crimes against humanity cite the criteria of murder, extermination, forcible transfer, and rape. The counts for war crimes cite the acts of “intentionally directing attacks against a civilian population as such or against individual civilians not taking direct part in hostilities, and pillaging.” The Court originally fell short of charging Bashir with the crime of genocide.

Hagan is the co-recipient of the 2009 Stockholm Prize in Criminology for his groundbreaking work in defining the scope of the tragedy in Darfur. He holds a joint appointment at the ABF and is the John D. MacArthur Professor of Sociology and Law at Northwestern University and Co-director of the Center on Law and Globalization. Hagan's book, [*Darfur and the Crime of Genocide*](#), (Cambridge University Press) with co-author Wenona Rymond-Richmond, a former ABF research associate and now a sociologist at the University of Massachusetts at Amherst, was published in 2008. His work on estimating the death toll in the Darfur region of Sudan has been lauded for defining the scope and nature of the tragedy. Through the use of advanced crime measurement techniques, sophisticated demographic methods, and drawing on actual interviews with victims of the atrocities, Hagan and his colleagues concluded that the murders have numbered between 200,000 and 350,000. Original U.S. State Department and the World Health Organization estimates had placed the number of murders in the tens of thousands. Hagan and co-author Alberto Palloni first published their findings in the journal, *Science*, in 2006.

Hagan and his Center on Law and Globalization colleagues convened the first of three planned conferences on Sexual Violence as International Crime in The Hague in June 2009, where keynote speakers Ocampo and Navanetham Pillay, U.N. High Commissioner for Human Rights, called on social scientists to assist in finding methods of redress of systematic rape and identified the crime of mass rape as a component of genocide. Successive conferences, planned for 2010 and 2011, will examine sexual violence as political repression, and sexual violence through human trafficking, respectively.

Hagan's work in criminology focuses on the law's role in the redress of the crime of genocide, and examines the question of how the science of criminology can advance the understanding of and protection against genocide. An earlier book, *Justice in the Balkans* (University of Chicago Press, 2003) is a social history of the international tribunal where Slobodan Milosevic, the late Serbian leader, was tried for war crimes for his role in the wars in Croatia, Bosnia, and Kosovo. To view a video interview with Hagan discussing his work on the Darfur atrocities, visit the American Bar Foundation home page.

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