



ICC-PIDS-PR-20070502-214B\_En  
The Hague, 2 May 2007

**Situation:** Darfur, Sudan

**Case:** The Prosecutor v. Ahmad Muhammad Harun (“Ahmad Harun”) and Ali Muhammad Al Abd-Al-Rahman (“Ali Kushayb”)

## **Q and A on warrant of arrest**

### **What is a warrant of arrest?**

A warrant of arrest is an order issued by the Pre-Trial Chamber. After examining the application and the evidence or other information submitted by the Prosecutor, the Pre-Trial Chamber shall issue a warrant of arrest if it is satisfied that there are reasonable grounds to believe that the person has committed a crime within the jurisdiction of the Court, and that the arrest of the person appears necessary.

The warrant of arrest allows taking a suspect into custody and surrendering that person to the Court.

### **What is the purpose of a warrant of arrest?**

The warrant of arrest ensures:

- the person’s appearance at trial;
- that the person does not obstruct or endanger the investigation or the Court proceedings; or
- to prevent the person from continuing with the commission of the crime alleged within the jurisdiction of the Court or any other related crime.

### **When does the Prosecutor request a warrant of arrest?**

The Prosecutor may request a warrant of arrest at any time after initiating the investigations.

### **What shall a warrant of arrest contain?**

The warrant of arrest shall contain:

- the name of the person and any other relevant identifying information;
- a specific reference to the crimes within the jurisdiction of the Court for which the person’s arrest is sought;
- a concise statement of the facts which are alleged to constitute those crimes.

### **Who shall be notified of the warrant of arrest for Ahmad Harun and Ali Kushayb?**

The Registrar shall transmit the requests for co-operation seeking the arrest and surrender of Ahmad Harun and Ali Kushayb to the competent Sudanese authorities, and to the following States:

- all States Parties to the Statute;
- all United Nations Security Council members that are not States Parties to the Statute; and
- Egypt, Eritrea, Ethiopia and Libya.

Once the person is arrested and the Court so informed, the Court shall ensure that the person receives a copy of the warrant of arrest in a language that he fully understands and speaks.

### **Sudan has not ratified the Rome Statute. Will it co-operate with the ICC?**

The UN Security Council [Resolution 1593](#), which referred the situation in Darfur to the ICC, requires the Government of Sudan to co-operate with the Court even though it is not a State Party to the Rome Statute.

### **Can the warrant of arrest be modified?**

The Prosecutor may request the Pre-Trial Chamber to amend the warrant of arrest by modifying or adding to the crimes specified therein. The Pre-Trial Chamber shall so amend the warrant if it is satisfied that there are reasonable grounds to believe that the person committed the modified or additional crimes.