

Situation in Darfur, Sudan

ICC-PIOS-CIS-SUD-006-003/21_Eng

The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman

Updated: May 2021

ICC-02/05-01/20

Suspected of crimes against humanity and war crimes allegedly committed in Darfur, Sudan. Transferred to the ICC on 9 June 2020. First appearance on 15 June 2020. Confirmation of charges hearing scheduled for 24 May 2021.

Ali Muhammad Ali Abd-Al-Rahman



Date of birth: 1949

Place of birth: Sudan

Nationality: Sudanese

First warrant of arrest: 27 April 2007

Second warrant of arrest: made public on 11 June 2020

Transfer: 9 June 2020

Initial appearance: 15 June 2020

Confirmation of charges hearing: scheduled for 24 May 2021

Charges

According to the [Prosecution's submission of the Document Containing the Charges](#), Mr Abd-Al-Rahman is suspected of 31 counts of war crimes and crimes against humanity allegedly committed between August 2003 and at least April 2004 in Darfur, Sudan

Alleged crimes (non-exhaustive list)

According to the [Prosecution's submission of the Document Containing the Charges](#), between at least August 2003 and at least April 2004, Mr Abd-Al-Rahman was a senior leader of the Militia/Janjaweed in the Wadi Salih and Mukjar Localities, West Darfur State, Sudan.

Mr Abd-Al-Rahman is suspected of 31 counts of war crimes and crimes against humanity allegedly committed between August 2003 and at least April 2004 in Darfur, Sudan, including: Intentionally directing attacks against the civilian population as such, as a war crime; murder as a crime against humanity and as a war crime; pillaging as a war crime; destruction of the property of an adversary as a war crime; other inhumane acts as a crime against humanity; outrages upon personal dignity as a war crime; rape as a crime against humanity and a war crime; forcible transfer as a crime against humanity; persecution as a crime against humanity; torture as a crime against humanity and a war crime; cruel treatment as a war crime; attempted murder as a crime against humanity and a war crime.

Key judicial developments

REFERRAL AND OPENING OF THE INVESTIGATION

The International Commission of Inquiry on Darfur was established by UN Secretary-General Kofi Annan pursuant to Security Council resolution 1564. The Commission reported to the UN in January 2005, that there was reason to believe that crimes against humanity and war crimes had been committed in Darfur and recommended the referral of the situation to the ICC.

Using its authority under the Rome Statute, the United Nations Security Council referred the situation in Darfur since 1 July 2002 to the Prosecutor of the International Criminal Court in resolution 1593 on 31 March 2005.

Following the referral from the United Nations Security Council, the Prosecutor received the conclusion of the International Commission of Inquiry on Darfur. In addition, the Office of the Prosecutor requested information from a variety of sources, leading to the collection of thousands of documents. The Prosecutor concluded that the statutory requirements for initiating an investigation were satisfied and decided to open the investigation on 6 June 2005.

WARRANTS OF ARREST

On 27 April 2007, Pre-Trial Chamber I issued a [first arrest warrant against Mr Abd-Al-Rahman](#). On 11 June 2020, Pre-Trial Chamber II reclassified as public [a second warrant of arrest](#).

ARREST AND TRANSFER

On 9 June 2020, Mr Abd-Al-Rahman was transferred to the ICC's custody after surrendering himself voluntarily in the Central African Republic. On 15 June 2020, the case of Mr Abd-Al-Rahman was severed from the case of Mr Ahmad Muhammad Harun since Mr Harun has not yet been surrendered to the Court.

INITIAL APPEARANCE

On 15 June 2020, Mr Abd-Al-Rahman appeared before Pre-Trial Chamber II's Single Judge Rosario Salvatore Aitala. The hearing was held in the presence of the Prosecutor and the Defence. Mr Abd-Al-Rahman was represented by his Duty Counsel Mr Cyril Laucci and appeared via video-link from the ICC Detention Centre.

The Single Judge verified the identity of the suspect, and ensured that he was clearly informed of the crimes he is alleged to have committed and of his rights under the Rome Statute of the ICC in a language he fully understands and speaks. The judge also set the date for the confirmation of charges hearing.

CONFIRMATION OF CHARGES HEARING

The confirmation of charges hearing in this case is [scheduled](#) to open on 24 May 2021. The purpose of this hearing is to determine whether there is sufficient evidence to establish substantial grounds to believe that the person committed each of the crimes charged. If the charges are confirmed, totally or partly, the case will be transferred to a Trial Chamber, which will conduct the subsequent phase of the proceedings: the trial.

PARTICIPATION OF VICTIMS

The judges have authorised 151 victims to participate in the case. They are represented by their Legal representatives, lawyers Ms Paolina Massidda, Ms Amal Clooney and Mr Nasser Mohamed Amin Abdalla.

Composition of Pre-Trial Chamber II

Judge Rosario Salvatore Aitala, Presiding Judge
Judge Antoine Kesia-Mbe Mindua,
Judge Tomoko Akane

Representation of the Office of the Prosecutor

Fatou Bensouda, Prosecutor
James Stewart, Deputy Prosecutor
Julian Nicholls

Defence Counsel

Cyril Laucci

Legal Representatives of the Victims

Paolina Massidda
Amal Clooney
Nasser Mohamed Amin Abdalla