



**ICC-PIDS-PR-20070502-214A\_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")

### **Facts regarding the situation in Darfur, Sudan**

- **31 March 2005** The United Nations Security Council (UNSC), acting under Chapter VII of the Charter of the UN, referred the situation in Darfur, Sudan since 1 July 2002 to the Prosecutor of the International Criminal Court (ICC) by resolution 1593 (2005).
- **4 April 2005** The Prosecutor formally informed the President of the Court of the referral of the situation in Darfur, Sudan.
- **5 April 2005** The Prosecutor received a sealed envelope containing the conclusion of the International Commission of Inquiry on Darfur, Sudan,<sup>1</sup>
- **7 April 2005** The Prosecutor, Deputy Prosecutor Serge Brammertz, Deputy Prosecutor Fatou Bensouda and Chef de Cabinet Silvia Fernandez de Gurmendi opened a sealed list of individuals named by the International Commission of Inquiry on Darfur, Sudan as suspects of grave international crimes in Darfur, Sudan.
- **21 April 2005** The Presidency of the ICC issued a decision assigning the situation in Darfur, Sudan to Pre-Trial Chamber I (PTC I) composed of Judge Akua Kuenyehia (Ghana), Judge Claude Jorda (France) and Judge Sylvia Steiner (Brazil). **ICC-02/05-1.**

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<sup>1</sup> The International Commission of Inquiry on Darfur, Sudan was established in October 2004 by the United Nations Secretary-General, but acted independently. On 25 January 2005, the Commission reported to the Secretary-General that there was reason to believe that crimes against humanity and war crimes had been committed in Darfur, Sudan and recommended that the situation be referred to the ICC.

- **6 June 2005** The Prosecutor of the ICC, Luis Moreno-Ocampo, announced his decision to open an investigation into the situation in Darfur, Sudan since 1 July 2002. ICC-02/05-2
- **29 June 2005** The Prosecutor submitted a first report to the UNSC informing the Council of his decision to open an investigation into the situation in Darfur, Sudan.
- **13 December 2005** The Prosecutor submitted a second report to the UNSC informing the Council that the Prosecution has selected a number of alleged criminal incidents for full investigation and that the establishment of an effective system for the protection of victims and witnesses is a precondition to the conduct of investigation activities in Darfur, Sudan.
- **14 June 2006** The Prosecutor submitted a third report to the UNSC informing the Council that the Prosecution has selected several incidents for further investigation and analysis, and that the continuing insecurity in Darfur, Sudan, makes it impossible to conduct effective investigations inside Darfur, Sudan, particularly in light of the absence of a functioning and sustainable system for the protection of victims and witnesses.
- **24 July 2006** PTC I invited Ms Louise Arbour, United Nations High Commissioner for Human Rights and Mr Antonio Cassese, Chairperson of the International Commission of Inquiry on Darfur, Sudan, to submit in writing their observations on issues concerning the protection of victims and the preservation of evidence in Darfur, Sudan, invited the Prosecutor and/or his representatives as well as the *Ad hoc* Counsel for the Defence to provide a written response to the observations within 10 days and ordered the Registrar to appoint an *ad hoc* counsel to represent and protect the general interests of the Defence. ICC-02/05-10.
- **25 August 2006** Mr Antonio Cassese submitted his observations in compliance with PTC I's invitation of 24 July 2006. ICC-02/05-14.
- **11 September 2006** The Prosecutor responded to Mr Antonio Cassese's observations. ICC-02/05-16.
- **10 October 2006** Ms Louise Arbour submitted her observations in compliance with PTC I's invitation of 24 July 2006. ICC-02/05-19.
- **19 October 2006** The Prosecutor responded to Ms Louise Arbour's observations. ICC- 02/05-21.

- **14 December 2006** The Prosecutor submitted a fourth report to the UNSC providing the Council with an update on the situation in Darfur, Sudan and informing the Council that he has nearly completed an investigation into some of the worst crimes committed in Darfur, Sudan.
- **27 February 2007** PTC I received an application from the Office of the Prosecutor containing evidence of crimes allegedly committed in Darfur, Sudan, and requesting the issuance of summonses to appear in respect of Mr Ahmad Muhammad Harun, former Minister of State for the Interior of the Government of Sudan, and Mr Ali Muhammad Ali Abd-Al-Rahman also known as Ali Kushayb, alleged leader of the Militia/*Janjaweed*.
- **7 March 2007** Election of Judge Akua Kuenyehia as the new Presiding Judge of Pre-Trial Chamber I