



**FORTIETH REPORT OF THE PROSECUTOR OF THE INTERNATIONAL
CRIMINAL COURT TO THE UNITED NATIONS SECURITY COUNCIL
PURSUANT TO RESOLUTION 1593 (2005)**

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EXECUTIVE SUMMARY

The people of Darfur are suffering from an expanding, wide-scale range of attacks constituting crimes under the Rome Statute.

Amidst this challenging context, real and unprecedented progress has been made during the reporting period in the implementation of the mandate provided by the United Nations Security Council through resolution 1593, both in the courtroom of the International Criminal Court (“ICC” or “the Court”) in The Hague and through investigations led by the Office on the ground with affected communities.

In relation to the present allegations of core international crimes, and in particular with respect to its investigation in relation to crimes allegedly committed in West Darfur since April 2023 following the commencement of armed hostilities between the Sudanese Armed Forces (“SAF”) and the Rapid Support Forces (“RSF”), the Office of the Prosecutor of the ICC (“OTP” or “the Office”) has been able to collect sufficient evidence to confirm that there are reasonable grounds to believe that a wide range of crimes under the Rome Statute have been committed and continue to be committed in Darfur, including killings, pillaging, attacks against internally displaced persons camps, indiscriminate targeting of civilian populations, gender based crimes, and crimes against and affecting children.

Final steps are now being taken to present applications for arrest warrants with respect to those responsible for crimes in West Darfur. Through its work together with all partners, the Office will deliver individual criminal accountability for the atrocities currently being implemented as tool of war in Darfur.

This progress has been based on the Office’s ongoing, intensive efforts on the ground in Chad and other countries to progress its investigative activities. Since the announcement of this line of investigation in July 2023 by the Prosecutor, and especially during the reporting period, the Office’s investigators, lawyers, analysts and international cooperation advisers have accelerated action by:

- Conducting witnesses interviews during field deployments to Chad and other countries;
- Reinforcing existing partnerships and establishing new relationships with relevant actors;
- Identifying, screening and prioritizing a range of additional relevant individuals for interview purposes;

- Collecting extensive volumes of data from multiple sources including online data, and analysing it to identify linkage between perpetrators, structures and crimes patterns.

The last six months have also been used by the Office to continue the preservation of evidence and information regarding the allegations of crimes committed by the parties involved in the armed hostilities in North Darfur.

The reporting period was also marked by outreach visits by the Office's representatives to Eastern Chad, to refugee camps and in the transit area of Adre, to provide updates, identify new leads, and maintain communication with the community leaders. These engagements are expected to continue during the next reporting period to help advance the Office's inquiries and to remain abreast of any ongoing and future developments with respect to the situation.

This report also provides an update on the significant step taken at the ICC in The Hague through the conclusion of the trial of Mr Ali Muhammad Ali Abd-Al-Rahman ("Mr Abd-Al-Rahman", also known as "Ali Kushayb") in December 2024. This is a landmark moment for the relationship between the ICC and the United Nations Security Council ("UNSC", "the Council" or "the Security Council"). The conclusion of this first trial carried out based on a referral by the Council also marks the first tangible progress in the delivery of justice for the crimes committed in Darfur over 20 years ago.

A decision is expected to be delivered this year by the Trial Chamber which has overseen and managed the proceedings against Mr Abd-Al-Rahman since 5 April 2022. Following the submission of the Defence's last witness statement into evidence in September 2024, both the Office and the Defence, as well as the Legal Representatives for Victims, submitted their final trial briefs in November 2024. These submissions were followed in December by the parties and participants' closing statements.

During the oral presentation of its closing submissions, the Office underlined that it had proven beyond reasonable doubt that Mr Abd-Al-Rahman bears individual criminal responsibility for all 31 counts of war crimes and crimes against humanity - including in particular gender-based crimes and crimes against and affecting children - which the Office alleges he committed in Kodoom, Bindisi, Mukjar, Deleig, and their surrounding areas. The Office also emphasised in its submissions that this trial is the first before the Court in which it has applied an intersectional approach to the crime of persecution based on ethnic, gender and political grounds.

The conduct of this trial is not of value only in relation to the past wave of crimes and suffering that have impacted the people of Darfur. They have deep resonance with respect to the current situation. The crimes ongoing in Darfur at the time of the submission of this report are a reproduction, with respect to types of criminal conduct, affected communities, and those responsible for these acts, of those committed that gave rise to the referral of this situation by the Security Council. On the ground in camps in Chad and in other countries, investigators and cooperation advisers from the Office are repeatedly asked by members of affected communities as to the status of the trial of Mr. Abd-Al-Rahman. This is not just retrospective justice to them, it has immediate relevance and impact.

The Office has made key advances in its further investigations of the suspects for whom arrest warrants have already been issued, namely Mr Omar Al Bashir (“Al Bashir”), Mr Abdel Raheem Hussein (“Hussein”), and Mr Ahmad Harun (“Harun”). In doing so, the Office has strengthened the basis for action in the event of the arrest of these individuals.

While the Office’s progress in this reporting period has been concrete, and will now result in action relevant to those affected in Darfur, numerous serious challenges continue to negatively affect its work. These include security issues and broader in-country political developments impacting planned deployments and activities on the ground. The current conflict in Sudan has caused turmoil within the country and has caused many material witnesses to flee, making them available for cooperation with the Office’s investigations. In response to this, the Office has made significant progress in terms of locating, contacting, and interviewing witnesses outside of Sudan.

The general and significant resource limitations faced by the Office also continue to have an impact in this situation, despite the welcome secondment of personnel by State parties as well as the assistance received from third party organisations. This assistance has been helpful in advancing the Office’s mandate and investigation in the past months. Steps are being taken to seek to allocate additional resources to further accelerate progress in the investigation.

All efforts of the Office in this period have been further strengthened by its continued, crucial engagement with civil society organisations (“CSOs”). Throughout the reporting period, the Office has deepened its engagement with human rights activists, Sudanese diaspora, and CSOs in relation to the ongoing investigation and the Office’s mandate. The Office has also contributed to activities aimed at further strengthening the capacity of CSOs in the field of documentation of international crimes in the situation in Darfur. Through these activities the Office has also expanded its partnerships to incorporate new CSOs who are providing valuable information and assistance in relation to the situation in Darfur.

The Office can also report on some progress made in terms of cooperation with the Government of Sudan through the execution of requests for assistance both in the context of the investigation in relation to ongoing crimes and the old cases. These encouraging steps reflect a continued positive posture already observed in the last reporting period and have also been furthered by meetings held in The Hague on two occasions with representatives of the Government of Sudan including the Attorney-General of Sudan.

The Office has also engaged with the RSF during the reporting period with a view to secure another meeting with Arab tribal leaders from West Darfur as well as the execution of the only request for assistance sent in October 2023 that has remained pending up to the time of finalisation of this report. A meeting is scheduled to discuss this request in the coming days. The Office has also received shortly after the Prosecutor's last briefing to the UNSC on Darfur, the visit of a Sudanese delegation to facilitate engagements with individuals from the RSF and the Arab tribes in West Darfur that may be able to assist the Office's investigation including with respect to the execution of the pending request for assistance.

In line with its renewed strategy in relation to the situation in Darfur, the Office has also continued important cooperation with relevant national authorities of third States, including with the authorities of the United Kingdom ("UK") in relation to a domestic investigation concerning a UK citizen, in connection with the situation in Darfur, conducted by the UK Counter Terrorism Policing War Crimes Team. This cooperation has been mutually beneficial to both the OTP and national authorities.

The majority of the objectives set by the Office in its last report have been met. In the coming reporting period, the Office intends to pursue its mandate pursuant to UNSC resolution 1593(2005) with a focus on the following updated objectives:

- Submit multiple applications for warrants of arrest regarding 2023 and ongoing crimes;
- Expand assistance to complementarity initiatives with States investigating potential perpetrators;
- Expand engagement with States and other partners in support of all OTP Darfur investigations;
- Increase engagement with CSOs, affected communities and grass root organisations in Chad, Darfur, and elsewhere as appropriate;
- Consolidate progress with respect to Messrs Al Bashir, Hussein and Harun cases and secure the arrest and surrender of these individuals through cooperation with Sudanese authorities.

I. INTRODUCTION

1. This first report of the year 2025 represents the 40th report of the Prosecutor of the ICC pursuant to the UNSC resolution 1593 (2005).
2. Consistent with the Office's reports structure since 2022, this report provides an update on the implementation of the investigative and prosecutorial strategy of the Office in relation to the situation in Darfur, and takes stock of the progress made through the activities conducted by the Office between August 2024 and January 2025 with regard to the key lines of inquiry outlined in the last report. It also provides an update regarding the achievement of the objectives set in the Thirty-ninth Report to the UNSC and sets new ones for the coming reporting period.

II. PROGRESS ON THE ROADMAP

3. Amidst a landscape of severe and extensive ongoing allegations of Rome Statute crimes in Darfur, this report highlights the progress made by the Office over the last six months with respect to the four key lines of inquiry, including the investigation commenced in July 2023 as a result of the allegations of crimes committed in Darfur since April 2023, the trial of Mr Abd-Al-Rahman, and action on the outstanding cases relating to crimes committed back in 2003.
4. This section explains the progress made in each key line of inquiry and actions taken across the established key principles for renewed action in the Darfur Situation, originally set out in the Thirty-fifth report of the Prosecutor.

(i) Progress in key lines of inquiry

a) The ongoing investigation into crimes committed in Darfur since April 2023

5. During the reporting period, the Office has further accelerated its investigation of ongoing allegations of international crimes in the situation in Darfur since its announcement in July 2023. Based on these activities, the Office is poised to take action in relation to those allegedly responsible for Rome Statute crimes.
6. As noted by the Office of the High Commissioner for Human Rights in its Report on 20 December 2024, the hostilities have already spread to wider areas throughout the Darfur region since April 2023. The continuation of such a high level of violence has

led to a substantial increase of reports of international crimes being committed by all parties to the armed conflict.

7. The renewal of hostilities in West Darfur and the exacerbation of violence throughout 2024 in Northern Darfur and elsewhere are the direct result of the impunity afforded to perpetrators of earlier crimes. Victims and witnesses' testimonies as well as CSO reports, and other open-source information indicate that several of the conflict leading actors and their affiliated groups were also directly engaged in criminality in Darfur in 2003-2004. Based on its investigations and evidence and information collected by the Office, it is clear that the same pattern of criminal behaviour is being undertaken by the same actors against the same ethnic minorities, in particular non-Arab groups. The large-scale criminality witnessed since 2023 has clear and direct links to the armed conflict that began in 2003.
8. The scale and toll of continued violence and criminality for over 20 years have had a significant impact on the civilian population and their humanitarian situation. This resulted in one of the worst forcible displacement of civilians and loss of life in the region, especially of marginalised ethnic groups. The ongoing armed clashes from April 2023 until this day have only exacerbated these unsustainable conditions for all the civilians that remain in Darfur. The perpetrators responsible for alleged international crimes have used this ongoing volatile environment to shield themselves from accountability.
9. As noted in the Thirty-ninth report of the Prosecutor to the UN Security Council, the Office continues to maintain the Darfur investigation as one of its key priorities.
10. To date, the Office has collected around 6,000 items of evidence related to crimes committed in West Darfur since the start of the hostilities. Of these, 2,600 items including witness statements, interview recordings, transcripts, notes and notebooks, videos and photos are related to 60 witnesses who have been interviewed by the Office. The remaining amount of evidence has been collected from different organisations, individuals and from open sources.
11. The ongoing investigation has primarily focused on crimes committed from April 2023 in Al Geneina and its surrounding areas. In this regard, during the reporting period and at present, the Office has conducted the following major activities:

- The Office has been working continuously on identification and prioritization of leads, screening relevant leads for interview purposes and interviewing witnesses. The Office is regularly deploying missions to Chad and other countries. As part of the existing multiple lines of inquiries, the Office has interviewed a diverse range of witnesses who have provided credible information linking specific individuals and their affiliated armed groups to numerous crimes falling under the Court's jurisdiction. The Office has continued to prioritise the investigation of sexual and gender based-violence and crimes against children.
 - In addition to the analysis of closed-source evidence collected by the Office and independent online investigations, the Office has seized the opportunity to strengthen its engagement with partnering organisations which have preserved extensive volumes of open-source information. The Office continues to analyse such data to strengthen the identification of links between individuals and crimes, patterns, and hierarchical relationships between members of affiliated armed groups.
 - Having gathered such data from multiple sources, lawyers within the Office are continuously analysing and reviewing the available evidence, making legal assessments on which crimes and modes of liability are most appropriate in the context of particular criminal episodes.
 - As noted in the Thirty-ninth report of the Prosecutor to the UN Security Council, the Office is also actively assessing and preserving evidentiary information and the landscape of potential crimes committed throughout 2024 in El Fasher, North Darfur.
12. However, in the context of this progress, the Office's efforts to rapidly secure further evidentiary information from victims and witnesses has met some challenges. Due to the ongoing volatile political and security situation in Sudan and some neighbouring countries, obtaining access to such sources of information, as well as maintaining contact with witnesses remains a challenging task. The security situation in Chad characterised by attacks reportedly carried against its armed forces and others in 2024 and early 2025, has also created additional planning and logistical challenges when deploying field missions to conduct interviews.

13. During the reporting period, the Office has continued to receive the valuable service of seconded professionals allocated by multiple State parties. These additional resources have been extremely helpful to this line of investigation. In the interim the Office has also been working to increase its resources to effectively implement the mandate it has been given by the UNSC in relation to the situation, and to ensure the timely submission of applications for warrants of arrest.
14. The assistance from third-party organisations has also bolstered the internal analytical capabilities of the Office, especially in the context of collecting and analysing open-source evidence with respect to allegations since 2023. The Office would encourage States and other partnering organisations to continue in providing such critical support.
15. Based on this work, and as foreshadowed in the Prosecutor’s last briefing to the UN Security Council on the situation in Darfur, the Office has made significant progress in preparing applications for warrants of arrest against individuals responsible for crimes in Darfur. In particular, the Office is now taking final steps to present an applications for arrest warrant against one individual relating to alleged crimes committed in West Darfur, and intends to file further applications for warrants of arrest for other identified individuals in the coming reporting period.

b) Trial of Mr Ali Muhammad Ali Abd-Al-Rahman, also known as Ali Kushayb

16. Since the Thirty-ninth report, the trial of Mr Abd-Al-Rahman (“Ali Kushayb”) concluded. This milestone represents the closing of the first trial conducted before the Court pursuant to a UNSC referral.
17. The conclusion of this trial reflects the capacity of the Council to promote justice for victims when it maintains that accountability for grave crimes is necessary to address threats to international peace and security. Without the action of referral by the Council, this trial would not have taken place.
18. As instructed by the Trial Chamber, the Prosecution submitted its confidential Final Brief on 4 November 2024 and the public redacted version on 13 November 2024. The closing submissions took place from 11-13 December.

19. In both the Final Brief and during its closing submissions, the Prosecution argued that it had proven beyond reasonable doubt that the Accused bears individual criminal responsibility for all 31 counts confirmed by Pre-Trial Chamber II. The closing submissions included the Prosecution's responses to issues raised in the Defence Final Brief, as well as questions from the Chamber.
20. The Prosecutor opened the closing submissions, addressing the impact of the crimes on victims and focusing on gender-based crimes and crimes against and affecting children. The Prosecution then responded to key issues in the Defence Final Brief, including the argument that Mr Abd-Al-Rahman is not "Ali Kushayb", issues surrounding the fairness of the trial, cooperation with the Government of Sudan, and jurisdiction of the Court in this case. Furthermore, the Prosecution addressed issues pertaining to the charged crimes committed in connection with the incidents in Kodoom and Bindisi, Mukjar, Deleig, and their surrounding areas. After the Prosecution's closing submissions, the Legal Representative for the Victims presented her closing statement, followed by the Defence.
21. The Office has seen in this trial the deep significance that it holds for affected communities. Despite the unimaginable hardship and suffering faced by the predominantly Fur community during the charged events, which continues to this day, survivors remain engaged with the Court and hopeful that justice will finally be realised.
22. This trial was efficiently completed under the direction of the Trial Chamber and benefitted from the cooperation between the Parties and Participants. The trial was made possible thanks to the efforts of numerous individuals in and outside the courtroom, most notably by the courageous victims and witnesses who bravely participated throughout the process from investigation to trial.
23. While this first judicial chapter will now close with a judgment this year, the outstanding warrants of arrest against suspects at large for crimes committed in the same period as Mr Abd-Al-Rahman in Darfur remain to be executed.

c) Cases of Omar Al Bashir, Abdel Raheem Hussein, and Ahmad Harun

24. The violence and crimes taking place now in Sudan are an outgrowth of the violence in Darfur since 2003 and many of the same actors from 2003 are taking an active part

in hostilities today. The passage of time has not tempered the need for accountability and justice for the crimes committed in the past going back to 2003. The lack of accountability for past crimes emboldens the perpetrators of today. The Office is committed to ensure accountability for past crimes and relentlessly pursues justice for these historic wrongs. Indeed, the Office's engagements with victims, CSOs, and all those concerned about the situation in Sudan have shown that there remains a powerful desire and expectation that past atrocities will not be forgotten and that the suspects at large will be arrested, surrendered, and face justice.

25. The OTP welcomes the positive engagement of the Government of Sudan during the reporting period and expresses appreciation for its cooperation. The Government of Sudan has engaged constructively with the Office, provided information related to material witnesses, and has been helpful in supporting the collection of other evidence.

26. However, as regards the Office's engagements with the Government of Sudan relating to the arrest and surrender of Messrs Al Bashir, Hussein and Harun, the discussion needs to move forward significantly in order to hold the suspects to account for their alleged crimes. In particular, the possible location and activities of Mr Harun have been the subject of multiple recent media reports. The Government of Sudan has however yet to respond to the Office's request regarding his current whereabouts. The Government should now take positive steps to locate, arrest, and surrender Mr Harun, whose case is comparable to that of Mr Abd-Al-Rahman.

27. The Office encourages witnesses to come forward should they have information bearing on the criminal responsibility of the above suspects. In particular, the Office is interested in the cooperation of witnesses who are former or current officials of the Government of Sudan, in the Sudanese Armed Forces, the Central Reserve Forces, or the former National Intelligence and Security Service. The Office notes that the Government of Sudan is obligated by UNSC Resolution 1593 to cooperate fully in the cases against Messrs Al Bashir, Hussein, and Harun and that the renewed violence in Darfur demonstrates the need to ensure accountability for past crimes also.

d) The case of Abdallah Banda Abakaer Nourain

28. Former Commander of the Justice and Equality Movement, Mr Abdallah Banda Abakaer Nourain ("Mr Banda"), is charged with three counts of war crimes, allegedly committed during an attack carried out against the African Union Peacekeeping

Mission at the Haskanita Military Group Site in Darfur on 29 September 2007. Mr Banda remains a fugitive from justice.

29. As previous reports have made clear, upon assuming office, the Prosecutor immediately and voluntarily recused himself from the case of Mr Banda, pursuant to article 42(6) of the Rome Statute. Accordingly, Deputy Prosecutor Nazhat Shameem Khan oversees investigative activities in this case, which have continued during the reporting period.

(ii) Progress across the key principles for renewed action in the Darfur Situation

a) Empowering victims, witnesses and affected communities

30. Engagement with victims' communities and CSOs has continued unabated in the context of the Darfur situation in respect of all enquiries as well as the trial of Ali Abd-Al-Rahman. As was done in the previous reporting period, these engagements served to update affected communities and CSOs and to also contribute to assisting CSOs in their documentation activities in relation to the commission of crimes during the ongoing armed hostilities in Sudan.
31. The Office carried out outreach activities in Eastern Chad, travelling to several refugee camps and the transit area of Adre, to interact with the victims and survivors of crimes allegedly perpetrated in West Darfur and other areas. These interactions highlighted the legitimate aspirations of the victims to effective and timely justice with respect to both the old cases and the investigation into events that have been occurring since April 2023.
32. They shared the challenges resulting from their exodus and new lives and stressed the culture of impunity which has prevailed since the early 2000 in relation to crimes that have shattered the lives of millions of Darfuris. Although they questioned their own faith and trust in international criminal justice in light of the little attention received from the international community today, they nevertheless welcomed the end of the trial of Mr Abd-Al-Rahman. They have underlined in their engagements with the Office that they see this first trial relating to crimes committed in Darfur two decades ago as an illustration of both their determination and the work of the Court and believe that it sends a strong reminder to all past and current perpetrators, that no matter how long it takes they will face accountability for their crimes.

33. These victims and survivors' interest in the realisation of justice for the crimes allegedly committed in Darfur today is as strong as their hope to see justice delivered in the cases against Messrs Al Bashir, Hussein and Harun.
34. The Office also engaged with members of the Darfuri diaspora in The Hague, London and other countries in Africa, as well as online. These meetings provided an opportunity to discuss the same issues and for the Office to address concerns from the communities.
35. Between October and November 2024, the Office took steps to re-engage with the Arab tribal leaders in furtherance of the contacts initiated during the previous reporting period. Unfortunately, planning and scheduling challenges prevented this meeting from happening in this reporting period.
36. As regards outreach activities and awareness-raising, the Office has continued to deepen its engagement with CSO partners with the objective of providing information and updates on the case at trial as well as ongoing investigations.. As reported over the past year, the Office has been invited to contribute to trainings and workshop organised by two CSOs assisting Sudanese Human Rights activists and practitioners and Sudanese CSOs to further strengthen their experience in the area of documentation. Two such workshops occurred in person and online in November 2024 with particular focus on best practices for the documentation of atrocity crimes in Sudan and particularly in Darfur.
37. Additionally, numerous outreach activities focusing on Darfur and targeting Sudanese human rights, media practitioners and others were coordinated by the ICC Registry outreach staff with four sessions occurring between October and December, with the active participation of the OTP. Held in-person, online, or in a hybrid format, these meetings supported the engagement of over 200 participants. The last meeting organised days before the closing statements in the trial of Mr Abd-Al-Rahman gave an opportunity, in December 2024, to introduce the [Guidelines for Civil Society Organisations on documentation of International Crimes and Human Rights Violations](#), jointly developed by the OTP and Eurojust. The meeting allowed the Prosecutor to directly explain the Office's efforts to ensure accountability for the crimes suffered by the people of Darfur and address questions and concerns expressed by the participants.

38. The Office values these important events and meetings which are the expression of its commitment to keep the Office's engaged with CSOs and locally-based organizations in an effort to strengthen partnership initiatives and contribute to reinforcing accountability efforts, in accordance with the Office Strategic Goal 4 for 2023-2025.
39. The initiatives led by different international CSOs to help further consolidate the expertise and skills of many Sudanese CSOs and lawyers as well as Human Rights activists in their documentation efforts are also commendable and should be supported by State and non-State entities.
40. The Office is grateful to the efforts exerted by all the CSOs it has interacted with in the reporting period as well as throughout 2024, and for the leads it has also received from some of these CSOs in relation to its current investigation. As stressed in previous reports, provision of information and leads likely to assist the Office's investigations can be done through OTP Link: [OTPLink](#).

b) Cooperation with Sudanese national authorities and others

41. Since the Prosecutor's last briefing to the UNSC, the Office has continued to seek the cooperation from the Government of Sudan and to advance its investigations in relation to all inquiries pertaining to the situation.
42. In this regard, the Cooperation Focal Point of Sudan was invited to attend the ICC Seminar on Cooperation for focal points from situation countries. This event gave the focal point the opportunity to learn more about the Court's activities, to exchange views with other focal points on best practices in the field of mutual legal assistance, and to hold meetings with representatives of the Court on pending requests for assistance.
43. This meeting was followed by the visit of an official delegation from Sudan to the ICC in December 2024, led by the Attorney General of Sudan. The delegation attended the closing statements of the trial of Mr Abd-Al-Rahman and held meetings with the Court's representatives including from the Office of the Prosecutor, during which the cooperation between the Office and the delegation was discussed. The meeting also focused on a future visit by representatives of the Office to Port Sudan in the coming period.

44. In this context, with respect to the 35 outstanding requests for assistance mentioned in the Thirty-ninth report, the Office has carried out an assessment of the requests that needed to be prioritised. As a result of this assessment, and with a view to focusing action on the requests of most relevance, the Office decided to no longer seek the execution of 11 requests which have become obsolete either because they were connected to the now concluded trial of Mr Abd-Al-Rahman or because their object was no longer achievable in the prevailing situation of conflict in Sudan.
45. The Office has also decided to put 3 requests on hold until further notice. With respect to the remaining 21 requests, the Government of Sudan has executed 4, and partially responded to 8 others, indicating its commitment to further supplement their responses once they have identified the information or located the individuals sought.
46. With respect to the RSF, the Office received the visit of a delegation during the reporting period which offered to facilitate engagement with members of the RSF with the aim of engaging and cooperating with the Office in relation to its ongoing investigation. While a recently scheduled meeting is yet to materialise, the Office has continued without success to try to secure the execution of the only existing request for assistance it has communicated to the RSF since October 2023.
- c) Increasing avenues for accountability: Cooperation with third States, international and regional organisations
47. As highlighted in the [Office's Annual Report](#) published in December 2024, efforts have continued to be made by the OTP to assist national authorities in relation to domestic accountability efforts concerning the situation in Darfur.
48. In a significant step, the Office has provided concrete support to the United Kingdom authorities in a domestic investigation relating to a UK citizen, in connection with this situation. This investigation conducted by UK Counter Terrorism Policing War Crimes Team has generated leads that will assist the Office investigation into the crimes allegedly committed in West Darfur since the outbreak of hostilities in 2023.
49. Other avenues for accountability reside in the prospective cooperation and collaboration between the United Nations Human Rights Council Fact Finding Mission for the Sudan ("FFM-Sudan"). In this regards, preliminary engagements have occurred between the Office and the FFM-Sudan with a view to discuss how the two institutions could support each other's mandate. These discussions should lead to agreeing on modalities for cooperation within the framework of the Negotiated

Relationship Agreement between the ICC and the UN. This will be prioritised in the coming reporting period.

50. The humanitarian situation in Darfur and the larger Sudan is worsening and the reporting of alleged crimes has proportionately increased. The support by States to the Office and the ICC, and to all accountability actors is critical to advancing justice in Sudan and breaking the cycle of impunity.
51. This support is important for the Office through greater cooperation not just from State parties to the Rome Statute, but also from other States concerned by the current events in Sudan. In particular, and in light of the Office's experience over the last three years, States' support through the secondment of experts with working knowledge of Arabic and of the cultures and political context of Sudan, is needed to expedite the Office's ongoing work in the Darfur situation.

III. LOOKING FORWARD

i. Assessment of situation benchmarks

52. The below reflects the achievements and progress made by the Office with respect to the benchmarks set for the reporting period:
 - ***Completion of the trial of Mr Abd-Al-Rahman:*** This benchmark has been met. During the reporting period the Office submitted its Final Trial Brief and presented its closing statements between 11 and 13 December 2024. The trial of Ali Abd-Al Rahman has now concluded, and the Judges are conducting their deliberations for a judgment to be issued this year. The closing of this chapter of the trial represents a key moment for the victims and survivors of the crimes Mr Abd-Al-Rahman is accused of as well as a key milestone for the Darfur communities.
 - ***Advance collection of additional evidence in relation to crimes committed in Darfur since April 2023:*** This is an ongoing benchmark that continues to be met through the collection of evidence in support of key lines of inquiry. Nevertheless, efforts to secure additional and especially linkage evidence for the draft applications for warrants of arrest will be pursued. As a result,

additional investigative steps are needed and intended to be undertaken in the coming period for the expected applications of warrants of arrest.

- ***Consolidate progress with respect to the outstanding cases in the Darfur situation:*** This benchmark is still being progressed, as there are ongoing investigative activities to strengthen the available evidence concerning Mr Al Bashir, Mr Hussein and Mr Harun. The Unit in charge of the tracking of suspects at large within the Office – namely the specialised Tracking and Information Fusion Section - is coordinating activities with the Registry and other stakeholders to explore means to secure their surrender to the Court.
- ***Continue to deepen cooperation with States in support of all Darfur investigations:*** This benchmark is partially met. While many States have expressed their willingness and readiness to assist the Office’s investigation, provision of critical information has not materialized since the last report with the exception of limited number of States whose cooperation has allowed access to witnesses. Information received from CSOs, cooperation requests implemented by Government of Sudan and facilitation of missions by Chadian authorities and other non-State parties have been critical to the relative progress made.
- ***Maintain and increase engagement with affected communities and grass roots organisations in Chad, Darfur, and elsewhere:*** This benchmark is met as demonstrated by the reported engagements the Office had with CSOs from Sudan, as well as the diaspora and other organisations. This engagement will continue throughout the current investigation, including with outreach activities expanding to other refugees' camps in Eastern Chad and other relevant States.
- ***Strengthen assistance with respect to complementarity initiatives by States investigating potential perpetrators:*** This benchmark is met. The Office has been cooperating with a UK domestic investigation mutually beneficial to the OTP and the UK War Crime Team. It has also contributed to strengthening CSOs capacities with respect to documentation of atrocities through the Office’s participation in dedicated workshops.

- *Work towards investigative outputs under the line of inquiry into alleged atrocities committed in the context of current hostilities:* This benchmark is partially met. The Office has been able to collect sufficient evidence to confirm that there are reasonable grounds to believe that a wide range of crimes under the Rome Statute have been committed and continue to be committed in Darfur, including killings, pillaging, attacks against internally displaced persons camps, indiscriminate targeting of civilian populations, gender based crimes, and crimes against and affecting children. Final steps are now being taken to present applications for arrest warrants with respect to those responsible for crimes in West Darfur.

ii. Updated objectives

53. While the Office has over recent reporting periods devoted resources to all four components of the Darfur file: the case against Mr Banda, the trial of Mr Abd-Al-Rahman, the cases of Messrs Al Bashir, Hussein, and Harun, and the investigation of crimes that have been committed since 2023, during the next period the Office will place focus on the last two components only. It is expected that further prioritisation of the investigation into 2023 crimes will allow it to further deepen and accelerate action pursuant to UNSC Resolution 1593. The following objectives are therefore set for the next reporting period:

- *Submit multiple applications for warrants of arrest regarding 2023 and ongoing crimes:*
 - On the basis of the ongoing drafting work and the additional evidence anticipated to be collected in the coming months, the Office will seek to submit multiple applications for arrest warrants to the Pre-Trial Chamber of the ICC in relation to ongoing crimes committed in Darfur.
- *Expand assistance to complementarity initiatives with States investigating potential perpetrators:*
 - The Office will seek to maximise its relevance to domestic accountability action in relation to alleged crimes committed in Darfur, including through responses to requests for assistance in support of accountability processes by domestic courts or other mechanisms. It will cooperate within its mandate and in accordance with its promulgated Policy on Cooperation and Complementarity.

- The Office hopes to formally agree on the modalities of future cooperation with FFM-Sudan.
- ***Expand engagement with States and other partners in support of all OTP Darfur investigations:***
 - The support and cooperation from States, private entities and individuals remain vital to adjudicate the old cases relating to Darfur and progress the investigation in new crimes that have occurred since 2023. Such support should not be limited to the provision of access to persons of interest or witnesses but also cover other areas.
 - The Office intends again to further engage at bilateral levels with States and encourages other entities and private individuals to provide assistance to its activities.
- ***Increase engagement with CSOs, affected communities and grass root organisations in Chad, Darfur, and elsewhere as appropriate:***
 - The Office will increase engagement with CSOs and affected communities in relation to the situation in Darfur wherever possible in line with its Strategic Goal 4, while keeping them updated of any meaningful progress made.
 - Implementation of the newly-established OTP-CSO Structured Dialogue will continue with new thematic sessions addressing common areas of interest.
- ***Consolidate progress with respect to Messrs Al Bashir, Hussein and Harun cases and secure the arrest and surrender of these individuals through cooperation with Sudanese authorities:***
 - The Office will seek to generate information that would assist with the surrender of these suspects through the coordination work conducted by the specialised Tracking and Information Fusion Section, while also consolidating its evidence.
 - The finalisation of investigative, tracking and arrest activities in relation to these files will be a priority.

IV. CONCLUSION

54. With the conclusion of the trial of Mr Abd-Al-Rahman (also known as “Ali Kushayb”), this reporting period has seen a key chapter in efforts to deliver justice for the crimes committed over 20 years ago in Darfur.
55. It is however a tragedy that in the year that marks the 20-year anniversary of the UNSC referral of the Darfur situation to the Prosecutor of the ICC, the Darfur region is going through a repetition of history with the same actors, perpetrators and victims engulfed in a violent and deadly conflict characterised by egregious crimes and serious humanitarian and security repercussions on Sudan’s neighbouring countries.
56. Against this backdrop, the Office has continued with determination to collect evidence in connection with both the prevailing situation in West Darfur since the beginning of hostilities in April 2023 and the old outstanding cases of Messrs Al Bashir, Hussein and Harun. While the cooperation received in the reporting period from the Government of Sudan is strongly welcomed, the surrender of suspects still at large remains a priority for the Office. In this vein the Office reminds Sudan of its obligation to surrender the suspects.
57. The Office is also grateful to the facilitation provided by the Chadian authorities for the Office to carry some of its investigative activities in relation to the crimes allegedly committed in West Darfur, through access to refugee camps on its territory. In contrast with the above, the Office still awaits the execution of the single request for assistance sent to the RSF.
58. The Office will continue expanding partnership with all counterparts, including national authorities, CSOs and regional and international organisations with a view to fulfilling its mandate and maintain its engagement with the affected communities and delivering its prosecutorial responsibilities.
59. The Office remains focused to advance its investigations and to build strong cases that will help contribute to curbing or even breaking the cycle of impunity that has so much been detrimental to the Sudanese society as a whole.
60. We are now entering a period in which the outputs of the investigative activities of the Office will be felt by those on the ground. Through this action, the Office seeks to

contribute to the prevention of crimes, to curb violent activity of warring parties and to ensure that justice and the law can play a tangible role in protecting civilians. If this can be achieved, it is hoped that the Office can play its role, in partnership with affected communities, in stopping the cycles of suffering experienced by so many in Darfur.