Cour Pénale Internationale
International Criminal Court

Questions and Answers

The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb")

Update: 6 October 2025

ICC-02/05-01/20

Trial judgement in the Abd-Al-Rahman case
6 October 2025

What did the Chamber decide?

On 6 October 2025, Trial Chamber I of the International Criminal Court (ICC) found Ali Muhammad Ali Abd-Al-Rahman guilty of 27 counts of crimes against humanity and war crimes, in Darfur, Sudan, between August 2003 and March 2004. Judges found that Ali Muhammad Ali Abd-Al-Rahman, a *Janjaweed* leader, was guilty beyond any reasonable doubt, of the following:

- **as a direct perpetrator** for murder and torture as crimes against humanity and war crimes, as well as outrages upon personal dignity as a war crime and persecution as a crime against humanity.
- **as a co-perpetrator,** for the joint commission with *Janjaweed* and/or Government of Sudan Forces, in relation to at least 200 captives and/or detainees during the Mukjar and Deleig Operations, of murder, attempt murder and torture as war crimes and crimes against humanity, outrages upon personal dignity as a war crime, and persecution as a crime against humanity.
- **for ordering** the Janjaweed to commit, during the Kodoom and Bindisi Operation, murder and rape as war crimes and crimes against humanity, attack against a civilian population, outrages upon personal dignity, pillaging and destroying the enemy's property as war crimes; and forcible transfer of population, persecution and other inhumane acts as crimes against humanity.

On which basis did the Chamber conclude that Mr Abd-Al-Rahman is guilty?

ICC Trial Chamber I analysed the evidence submitted and discussed before it at trial. A total of 74 witnesses gave evidence during the trial: 2 were called by the Chamber, 54 by the Prosecution, 17 by the Defence and 1 by the participating victims through their legal representatives. A total of 1861 items of evidence were recognised as formally submitted into evidence.

What sentence can be pronounced against Mr Abd-Al-Rahman and when?

Following this verdict, the Chamber will impose on Mr Abd-Al-Rahman the sentence for the crimes of which he has been convicted. A decision in this regard, including as concerns the timeline of the proceedings leading to the imposition of the sentence, has also been issued. The judges may impose a prison sentence, a fine may be added or forfeiture of the proceeds, property, and assets derived directly or indirectly from the crimes committed. The maximum sentence is 30 years. However, in extreme cases, the Court may impose a term of life imprisonment. In order to determine Mr Abd-Al-Rahman's sentence in this case, the Chamber will receive submissions from the parties and participants regarding the possible sentence, and will schedule a separate hearing to receive evidence and to discuss matters related to sentencing. Mr Abd-Al-Rahman will remain in detention until such time.

Why was Mr Abd-Al-Rahman not convicted of some of the charges presented by the Prosecutor?

The Prosecutor had brought four other counts of crimes against humanity and war crimes against Mr Abd-Al-Rahman but the Chamber did not enter a conviction on these counts considering that the criminal conducts underlying these counts were already covered by other counts for which a conviction was pronounced.

Can this verdict be appealed?

Yes, the parties (the Prosecution and Defence) may appeal the trial judgment, or parts of it, within thirty days, in which case, an Appeals Chamber composed of five judges will decide on the matter.

Will victims obtain reparations?

Victims before the ICC have rights that have never been granted before an international criminal court or tribunal. They can participate during the proceedings. In this particular case, Trial Chamber I authorised 1591 victims to participate in the trial proceedings, represented by their legal representative, Natalie von Wistinghausen. Independently of participation, victims of the crimes for which Mr. Abd-Al-Rahman was convicted can seek reparations. In the case against Mr Abd-Al-Rahman, issues related to the procedure for victims' reparations will be addressed in due course.

Who are the judges sitting in this case?

Trial Chamber I is composed of Judge Joanna Korner, Presiding Judge, Judge Reine Alapini-Gansou and Judge Althea Violet Alexis-Windsor. The Judges of the ICC are persons of high moral character, impartiality and integrity who possess the qualifications required in their respective States for appointment to the highest judicial offices. All have extensive experience relevant to the Court's judicial

activity. They are elected by the Assembly of States Parties on the basis of their established competence in criminal law and procedure and in relevant areas of international law such as international humanitarian law and human rights law.