

Situation in Darfur, Sudan

ICC-PIDS-CIS-SUD-001-007/20_Eng

The Prosecutor v. Ahmad Muhammad Harun ("Ahmad Harun")

Updated: July 2021

ICC-02/05-01/07

Suspected of crimes against humanity and war crimes allegedly committed in Darfur, Sudan. Still at large.

Ahmad Muhammad Harun (Ahmad Harun)



Date of birth: Approx. 1964

Place of birth: North Kordofan, Sudan

Nationality: Sudanese

Warrant of arrest: 27 April 2007

Status of proceedings: The execution of the arrest warrant is pending

Charges

The warrant of arrest against Ahmad Harun lists 42 counts on the basis of his individual criminal responsibility (articles 25(3)(b) and 25(3)(d) of the Rome Statute) including:

- **Twenty counts of crimes against humanity:** murder (article 7(1)(a)); persecution (article 7(1)(h)); forcible transfer of population (article 7(1)(d)); rape (article 7(1)(g)); inhumane acts (article 7(1)(k)); imprisonment or severe deprivation of liberty (article 7(1)(e)); and torture (article 7(1)(f)); and
- **Twenty-two counts of war crimes:** murder (article 8(2)(c)(i)); attacks against the civilian population (article 8(2)(e)(i)); destruction of property (article 8(2)(e)(xii)); rape (article 8(2)(e)(vi)); pillaging (article 8(2)(e)(v)); and outrage upon personal dignity (article 8(2)(c)(ii)).

Alleged crimes (non-exhaustive list)

Pre-Trial Chamber I considered that there are reasonable grounds to believe that:

- An armed conflict took place allegedly between the Government of Sudan including combatants from the Sudan People's Armed Forces (the Sudanese Armed Forces) and the Popular Defence Force (PDF) along with the *Janjaweed* militia against organised rebel groups, including the Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) in Darfur, Sudan. It is alleged that the Sudanese Armed Forces and the *Janjaweed* militia, acting together as part of the counter-insurgency campaign, carried out several attacks, of a systematic or widespread nature, on the towns of Kodoom, Bindisi, Mukjar, Arawala and surrounding areas in 2003 and 2004. In the above mentioned towns criminal acts were allegedly committed against civilians primarily from the Fur, Zaghawa and Masalit populations, such as murders of civilians, rapes and outrages upon the personal dignity of women and girls, persecution, forcible transfers, imprisonment or severe deprivation of liberty, and attacks intentionally directed against the above-mentioned populations.
- Ahmad Harun served from 2003 to 2005 as Minister of the State for the Interior of the Government of Sudan and allegedly in charge of the management of the "Darfur Security Desk" thereby coordinating the different bodies of the government involved in the counter-insurgency, including the Police, the Armed Forces, the National Security and Intelligence Service and the *Janjaweed* militia. Ahmad Harun, by virtue of his above-mentioned position, had knowledge of the crimes committed against the civilian population and of the methods used by the *Janjaweed* militia; it is alleged that in his public speeches Ahmad Harun not only demonstrated that he knew that the *Janjaweed* militia were attacking civilians and pillaging towns and villages, but also personally encouraged the commission of such illegal acts; and that due to his position at the Darfur Security Desk and through his overall co-ordination and personal participation in key activities of the Security Committees, namely the recruiting, arming and funding of the *Janjaweed* militia in Darfur, Ahmad Harun intentionally contributed to the commission of the above-mentioned crimes.

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.

WARRANT OF ARREST

On 27 April 2007, Pre-Trial Chamber I issued [an arrest warrant against Ahmad Harun](#), in the case of *The Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman*. On 15 June 2020, the case of Mr Abd-Al-Rahman was severed from the case of Ahmad Muhammad Harun since Mr Abd-Al-Rahman was transferred to the ICC, while Mr Harun has not yet been surrendered to the Court.

Until Ahmad Harun is arrested and transferred to the ICC, his case will remain in the Pre-Trial stage. The ICC does not try individuals less they are present in the Courtroom.

Composition of Pre-Trial Chamber II

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

Representation of the Office of the Prosecutor

Karim A.A. Khan QC, Prosecutor
James Stewart, Deputy Prosecutor

Defence Counsel

N/A

Legal Representatives of the Victims

N/A