

Letter to the Prosecutor of the International Criminal Court

From Sudanese Civil Society Organizations
Call on the Prosecutor of the ICC to Investigate and Deter Crimes in Sudan

June 25, 2023

Honorable Karim A. A. Khan QC
Office of the Prosecutor
International Criminal Court
10 Oude Waalsdorperweg
2597 AK, The Hague
The Netherlands

Dear Honorable Karim Khan,

At the initiative of End-Impunity Organization, a Sudanese based right group and other Sudanese Civil Society Organizations (CSOs) along with concerned individuals,

We, the undersigned, urge you to urgently open an investigation of renewed crimes into the Situation in Darfur. Eighteen years have passed since the opening of ICC investigation in the Situation in Darfur in **June 2005**, following the UN Security Counsel referral in accordance to resolution **1593**. Since then seven individuals accused of commission of crimes against humanity, war crimes and genocide were indicted and arrest warrants issued for their surrender and trial.

Today, the Situation in Darfur intensified with renewed killing and bloodshed. The same Janjaweed militias of 2003 with their new name Rapid Support Forces (RSF) who assumed leadership positions in Sudan continue to commit atrocity crimes in Darfur and in Khartoum. Since the recent war erupted in Sudan on **April 15, 2023**, between the RSF and Sudan Armed Forces, the Janjaweed militias committed unspeakable crimes against civilian population, including killing, torture, kidnapping, destruction of property, forced displacement, rape and sexual violence.

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On 19 June 2023, the United Nations High Commissioner for Refugees (**UNHCR**) has alarmed about the horrific sexual violence that women and girls face in Sudan, including rape, sexual assault, exploitation and physical violence, and called for an end to this abhorrent crime.

In West Darfur alone the UN has estimated that thousands of people have been killed. Local sources indicate that over sixty cases of rape and other sexual violence cases perpetrated in two months with complete absence of healthcare and psychological support. Civilians are targeted based on their ethnic identities. More than two million civilian displaced, a hundred thousand have crossed over to Chad as refugees. Humanitarian situation continue to rapidly deteriorate across the country, particularly in Khartoum, Darfur and Kordofan areas.

In the city of El-Geneina, in particular, on 14 June 2023, Khamis Abakar, the Governor of West Darfur, was captured and brutally killed by Janjaweed/RSF fighters.

In Khartoum the Janjaweed/RSF perpetrated the **June 3rd** Massacre in 2019, along with the Military Council, systemic, widespread, and planned killing of civilian population. Atrocities that were well documented and admitted by the Military Council itself on National Television. Over two-thousand people were killed among them several went missing up-to-date.

In its report of 17 November 2019, on “***Sudan’s Violent Crackdown on Protesters in Khartoum***” Human Rights Watch noted that “crackdowns have involved serious violations of domestic and international law, including some crimes that may constitute crimes against humanity.”

Violent clashes have intensified by recruitment of child-soldiers, the influx of mercenaries from West and Central African States, and direct involvement of the Russian Wagner paramilitary militia group who has been supplying Janjaweed/RSF fighters with arms and supplies. A situation clearly constitutes a risk to regional stability and threat to International Peace and Security.

All this is happening now and happened then because of lack of justice and accountability, perpetrators continue with complete impunity.

From all the above, we believe that the events of today in Darfur, and those in Khartoum are sufficiently linked to the events that triggered the Darfur referral in **2005**. This means that an urgent investigation is needed in Sudan. Examples of similar investigations under a ‘situation’ include; Kivus, Myanmar, Kenya, and Côte d'Ivoire.

Therefore, we urge you to use your '*proprio motu*' powers to investigate and deter crimes in Darfur, Khartoum, and other parts of Sudan under the jurisdictional referral of the United Nations Security Council resolution **1593/2005**.

We believe that crimes perpetrated in Khartoum and Darfur are at the hands of the same actors, the Janjaweed Militias of Darfur, RSF today.

The Sudanese victims hope that their dream of justice will be realized through the only practical institution capable of doing so, the International Criminal Court, and the only institution capable of ending impunity, preventing the recurrence of crimes, and deterring the commission of such crimes in the future.

Yours Sincerely,
Sudanese Civil Society Organizations
Khartoum, Sudan

Copies to:

- Pre-Trial Chamber I**
- Assembly of States Parties to the Rome Statute**

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